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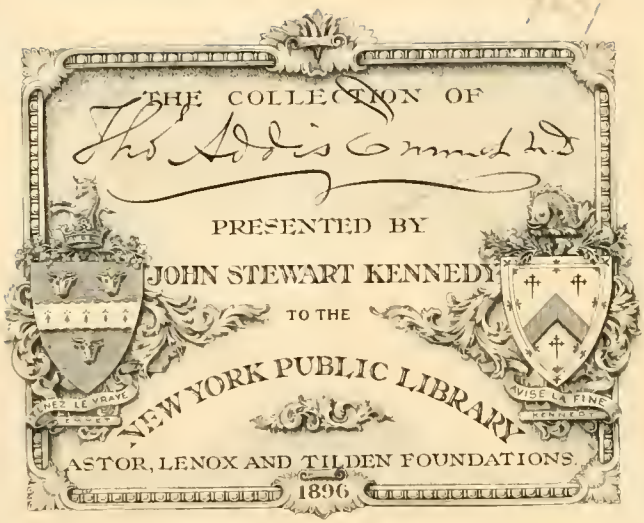
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FANNING'S NARRATIVE.

NORTH CAROLINA.

1775---1783.

HISTORICAL DOCUMENTS

RELATING TO THE

Old North State.

No. 1.

"Gather up the fragments that remain."

50 copies 4to.

No. 33

THE

NARRATIVE

OF

COLONEL DAVID FANNING,

(A TORY IN THE REVOLUTIONARY WAR WITH GREAT BRITAIN ;)

GIVING AN ACCOUNT OF HIS

ADVENTURES IN NORTH CAROLINA,

From 1775 *to* 1783,

AS WRITTEN BY HIMSELF,

WITH AN

INTRODUCTION

AND

EXPLANATORY NOTES.

Richmond, Va.
PRINTED FOR PRIVATE DISTRIBUTION ONLY.
1861.
IN THE FIRST YEAR OF THE INDEPENDNENCE OF THE CONFEDERATE STATES OF AMERICA.

TEMPLE
COLLEGE
PHILADELPHIA

PREFACE.

THE narrative which is now for the first time printed, supplies a vacancy which has always been felt by the historian of the revolution in the Southern States. History, song and tradition have each done something to perpetuate the recollection of the deeds of one whose name has come to us linked with all that is cruel and rapacious in a war of the most fratricidal character, but no authentic detailed account of his life has up to the present time been made public, and but few of the particulars of his career during the war are generally known.

All who have written of David Fanning, the tory, have assigned him a high rank in the annals of infamy, and none who read his own account of himself and his "services" will hesitate to admit that he has been

> "by merit raised
> To that bad eminence."

The frankness with which he narrates his adventures and speaks of the cold blooded murder of his neighbors and fellow citizens, is only equalled by the self satisfaction which he exhibits at the close of his address to the reader, in using the words of the Psalmist as applicable to himself as the "perfect" and the "upright man."

Besides what he has written, the following account of him (principally traditionary) is that which is best authenticated.

David Fanning was born in Johnston county, N. C., about the year 1754, of obscure parentage. He was apprenticed to a Mr. Bryant, from whom, on account of harsh treatment, he ran away, when about sixteen or seventeen years of age. His miserable condition excited compassion, and secured for him a temporary home at the house of John O. Deniell, of the Haw fields in Orange county.

He had the scald head, had lost nearly all his hair, and the scalp was so offensive that he never ate at the table with the family or slept in a bed. In subsequent life he wore a silk cap, and his most intimate friends never saw his head naked.

In the course of two or three years after his elopement from his master he went to South Carolina, engaged in trafficking with the Catawba Indians, acquired property and settled on Raeburn's creek a branch of Reedy river, in Laurens district. On his return from a trading excursion at the beginning of the difficulties with the mother country, he was met by a party of lawless fellows who called themselves Whigs, and robbed by them of everything he had. Previously to this he had professed to be a Whig, but exasperated at the outrage perpetrated by these desperadoes he changed sides and during a series of years availed himself of every opportunity to wreak his vengeance on his former friends.

The defeat of the tories at King's mountain disheartened them for any great efforts afterwards in North Carolina, and they never again assembled in any large numbers in that State. In 1782 Fanning went to Charleston, S. C., and from thence to St Augustine in Florida. From thence at the close of the war, finding that all hopes of his returning to his native State was removed by the action of the legislature, which made an exception of him in their acts of amnesty, he went to New Brunswick, and Sabine says. "He lived some years in Queen's county and was a member of the House of Assembly, but in 1799 removed to Nova Scotia, where he was a Colonel in the militia. He died at Digby, Nova Scotia, in 1825."

Caruthers has sifted and garnered the traditions of the times with remarkable fullness and discrimination, and interwoven record evidence but recently discovered, elucidating and confirming much that was previously obscure and doubtful. He is sustained by Fanning in every important statement but one. Fanning was not trained in the school of McGirth, but received "bloody instructions", from an abler and more distinguished man, William Cunningham, the Captain of the "Bloody Scout," a good memoir of whom is a desideratum yet to be supplied by the South Carolina Historical Society, before it is too late. Fanning states in the opening of his narrative, that after the reduction of Charleston, (May 1780) "myself and one Willam Cunningham concluded to embody a party of men, which we effected. We determined to take Col. Williams of the rebel militia prisoner, and then to join Captain

Parish who was to raise a company and assist us." "Bloody Bill" and Captain Parish (Paris or Peares according to varying orthography) were fit companions for Fanning, Williams eluded them then, but only to fall soon after more gloriously with the shouts of victory sounding his requium on the well fought battle-field of King's mountain.

The history of the "narrative" itself, of the importance attached to it, by those who had heard of or seen it, with the indefatigable efforts continued for a long period and at last crowned with success on the part of the gentleman, who with the indispensable untiring spirit of an antiquarian and historian allowed no difficulties to divert him from the pursuit, the reader will find in the introduction by Mr. Wheeler. One thing seems remarkable, that although the existence of this manuscript was known to persons interested, in the history of N. Carolina, yet it must have entirely escaped the knowledge of Mr. Sabine, for although he says in the preface to his "Sketches of American Loyalists," that "I lived on the eastern portion of the United States, enjoyed free and constant intercourse with persons of Loyalist descent, have had the use of family papers and of rare documents, have made journeys to confer with the living and pilgrimages to graveyards to complete the records of the dead," yet, he makes no mention of the existence of this narrative, and in addition to that which is above quoted has only to say for the biography of David Fanning that, "He was an officer under the crown during the war, and at its close settled in New Brunswick."

By the date of his address to the reader, it will be seen that

the narrative was written in 1790. An examination and comparison of the index and text will give reason to believe that the order of the narrative was first arranged in his mind, and the index made out as containing the most important events connected with this period of his life in the order in which they occurred and when the work was being executed he failed to find many of the documents which he had intended to embody in his account, among which were included the letters, proclamations, speeches and petitions, which are indicated in the index by an * but which cannot be found in the text. Those parts of the index might have been omitted, but deeming it proper to print the whole paper as it was made out by the author, I have preserved the whole arrangement of title, address to the reader, index and text, just as he had it, not altering a single word or letter from the copy. A very few typographical errors of a single letter occur, but these are too apparent to be pointed out.

This narrative gives many details of events which have escaped the historian, and records acts of heroism and instances of suffering on the part of those who in the Southern States offered up their all as a sacrifice to secure the independence of the American colonies. But the patriot and the philanthropist must always regret that the struggles of those who in the contest with Great Britain shed their blood on every battle field, both in their own section and that of the North, for the freedom of the whole country, was productive only of a change of masters with them, for soon after throwing off the yoke of Old England they were,

through adroit management and cunning legislation, made to assume that of New England and ere the actors engaged in the first struggle had all passed from the stage of life their children had to draw the sword to protect their homes and firesides from a foe who, having fattened upon their substance and grown insolent by successes, attempted to impose on them burdens more odious than those which they refused to bear from that nation to whom they owed their existence as a people. And these impositions on the part of the North have at last culminated in the final and irrevocable separation from them of those to whom they should have clung with more than maternal love. And alas! their mad efforts to subdue those who now stand in the attitude of rebels towards them has brought about the re-enacting of scenes such as those disclosed by our veracious chronicler, and although we still have greatly the advantage in the battles fought up to this time, yet, Virginia invaded, Maryland overpowered, and Kentucky divided against herself, have realized all the horrors of civil war as told by Fanning, with other scenes at the recital of which decency revolts, and before the perpetrators of them, even the tories of the first revolutionary war might "hide their diminished heads," while the faithful historian of this portion of our country's nanals will blush for his race when he records the deeds of those who calling themselves Union men cling to the old government as did the tories of Fanning's time, and in the name of loyalty rob and torture and lay waste the property of those who have dared to assert and endeavor to maintain their rights as freemen.

The present may seem an inappropriate time to attend to preserving the history of our former struggle for independence, and it must be admitted that while a country is engaged in a furious war with a foe who unites to all the rancour of difference of race the rage of the pirate at the escape of his destined victims, it is hardly a fitting time to contribute to the historical literature of our country. But when we recollect that especially at such periods how liable to loss and destruction are all manuscript records, a reason is at once given for consigning them to "the art preservative of all arts," to prevent their total loss. For this reason and with the hope that this effort to contribute something to the history of one of the States now forming a part of the new Confederacy is this pamphlet distributed.

In making out the notes illustrative of the history of persons named in the text I have derived the greater portion of the information from Sabine's Loyalists, Lossing's Field-book of the Revolution, and Gibbes' Historical Documents of S. Carolina. I am also indebted to Hon. L. D. Swain, ex-governor of N. Carolina, for many of the notes, which are printed entire as he wrote them, and for the synopsis of the life of Fanning as given in the preface.

T. H. W.

Richmond, *Nov. 25th*, 1861.

INTRODUCTION

BY JOHN H. WHEELER.

THE name of Fanning, whose narrative is herewith preserved, written by himself is associated in the revolutionary history of North Carolina, with deeds of desperate daring, rapine and cruelty. Since the history of North Carolina was published by me (1851) I have met with a letter from Genl Alexander Gray to Dr. A. Henderson dated Randolph county N. Ca. March 30th, 1847, which gives much information as to the adventures and exploits of Col'o Fanning. Rev'd E. W. Caruthers D. D. in a work entitled "the Revolutionary incidents and sketches of character, chiefly in the old North State," printed in Phila (Hayes & Zell 193 Market Street) in 1854, has devoted more than one hundred and fifty pages of his very valuable work to the life and character of Fanning.

In preparing matter for a second edition of my History of N C as I felt satisfied that the sketch of Fanning I had presented of him under Chatham County (2d vol. 84) was

not complete, and not satisfactory even to myself, without this narrative which I knew had been written and which was in existence, I made some efforts to obtain a copy of it, But to effect this seemed almost hopeless. I had seen a copy of a letter from Fanning, to Rev'd Roger Veits, dated in 1822, in which he declared that he "would not let any one have it on any pretences whatsoever"—that he had refused five hundred dollars for it. I visited St. Johns in the British provinces of New Brunswick near which Fanning lived and died but was not successful in this object.

After Fanning's death (in 1825) his son, who, Dr. Caruthers states, "was a ruling Elder in the church and an estimable man," did not seem to value so highly this important paper, which with other documents of his father came into his possession. He allowed Porter C. Bliss Esq, who was imployed by the Massachusetts Historical Society to collect authentic materials of the early history of our Nation, to make a copy, which he did, as he informed me *verbatim et litteratim*—not correcting the many errors in orthography and grammar with which it abounds. I copied this myself carefully. When I first heard of this manuscript copy, it was in the hands of Hon. Geo. Bancroft in New York. I wrote to Mr. Bancroft, with the approbation of Mr. Bliss, who at the time was engaged in a responsible position in the Indian Bureau of the Interior Department in Washington City and is now attached to the American Legation at Brazil. Mr. Bancroft immediately replied, testifying

to the authentieity, fidelty and value of the manuscript ;* and through Mr. Bliss' efforts it was forwarded to me. My exertions to procure this paper had been stimulated by a letter to me, from Gov'r Swain, dated 16th apl 1861, in which he says, "I have known of the existence of the Fanning manuscript for nearly thirty years · and have made repeated efforts, *unsuccessfully*, to obtain a copy. My last attempt was three or four years ago, through Dr. Sparks of Boston."

When Judge Murphy a few years before his death was collecting materials for history, he made an effort through Hon Archibald McBride of Moore county (in Congress from 1809 to 1813) to obtain a copy of Fanning's narrative. He could get nothing except the following letter, which has been published in the University Magazine, and also in Caruthers's work ;

DIGBY 15*th May* 1822

"DEAR SIR

The letters you sent me appears to be a request of some gentleman in North Carolina, or elsewhere to get holt of my Journal, or the narrative of my servis, During the time of the American Rebellion. I am under the ne-

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*The following note from Mr. Bancroft will testify to the value he placed on the narrative:

NEW YORK, *April* 26, 1861.

"MY DEAR MR. WHEELER,

I have yours of April 19th. Having only had permission of Mr. Bliss to keep the ms. for a short season, I returned it almost immediately to Mr. Deane from whom I received it. The journal must be printed.

Yours truly

GEO. BANCROFT."

John H. Wheeler, Esq.

cessity of saying that I would not Let any man have it on any pretence whatsoever, Unless I was well informed of the use that was to be made of it. You can say to the Gentleman that I now have a narrative of the Transactions of that war, Both of North and South Carolinas; and if any gentleman wishes to know from me of any particular transaction, or the Date, by pointing it out to me, I may give the information of it, if it Don't operate against my Coming back to look after my property. You may say, that my Journal contains more than one Quire of Fools Cap paper Closely wrote, and it would take a good pens man a month to write it over, fit to send to the world abroad. I was offered, by Charles Cook in England fifty pounds sterling for my Journal to have it published, and I Refused him. Colonel McDougal Desired me not to Insert in it, any thing of his Servessas; as he intended going back to North Carolina to Live, and he knows that I have a Narrative of all the Transactions. If he should want any thing of the kind from me, he should write to me himself. If any person wishes to prove any thing false, respecting the conduct of the Torys, let him point what it is, and I will endeavour to give him the truth.

I am dear Sir Your obedient Servant

DAVID FANNING.

P. S. I believe there is some more meaning in the letters than I understand ; the word Memorial of my life or a word to that effect, that I don't understand. I have hurt my ankil and knee, so I cannot come to see you. Ross said you wanted to answer them by post.

To the Rev'd Roger Veitts.

With every reader of the revolutionary history of North Carolina, so full of thrilling incidents and patriotism, I feel much gratification in rescuing from oblivion this nar-

rative of one, about whom so much and varied tradition, exists in our State ; and which from its minuteness in detail, and accuracy of dates, (which have been compared with reliable authorities,) may be depended upon, as a truthful record. Had the daring desperate temper of Fanning, been elevated by education, chastened by religious influences and directed in proper and patriotic channels, his name might have been associated with that of the Marions and Waynes of the eventful epoch in which he was notorious.

JNO. H. WHEELER

Murfreesboro' Hertford Co N. C.
5th June 1861.

NARRATIVE

OF

COL'O DAVID FANNING

WRITTEN BY HIMSELF

DETAILING ASTONISHING EVENTS

IN NO. CA.

FROM 1775 TO 1783.

TO THE READER.

Courteous Reader,

whoever thou art, the Author being only a Farmer bred, and not conversant in learning, thou may'st think that the within Journal is not authentic. But it may be depended upon on that every particular herein mentioned is nothing but the truth ; Yea, I can boldly assert that I have undergone much more than what is herein mentioned.

Rebellion according to Scripture is, as the Sin of witchcraft ; and the propagators thereof, has more than once punished ; which is dreadfully exemplified this day in the now United States of America but formerly Provinces ; for since their Independence from Great Britain, they have been awfully and visibly punished by the fruits of the earth being cut off; and civil dissention every day prevailing among them ; their fair trade, and commerce almost totally ruined ; and nothing prospering so much as nefarious and rebelious Smugling. Whatever imperfections is in the within, its hoped will be kindly overlooked by the courteous Reader, and attributed to the Author's want of learning.

I do not set forth any thing as a matter of amusement, but what is really, justly fact, that my transactions and scenes of life have been as herein narrated during the term of the Rebellion ; and that conduct, resolution, and courage perform wonderous things beyond credibility, the following of which laudable deeds will give them, are exercized therein the Experience that I have gained.

In the 19th year of my age, I entered into the War ; and proceeded from one step to another, as is herein mentioned, and at the conclusion thereof, was forced to leave the place of my nativity for my adherence to the British Constitution ; and after my sore fatigues, I arrived at St John River ; and there with the blessing of God, I have hitherto enjoyed the sweets of peace, and freedom under the benevolent auspices of the British Government—which every loyal and true subject may enjoy with me, is the wish of the Author.

King's County DAVID FANNING
Long Beach
New Brunswick
June 24th 1790.

PSALM 37 & 37.

"Mark the perfect man, and behold the upright ! for the end of that man is peace."

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A JOURNAL OF

COL. DAVID FANNING'S TRANSACTIONS,

DURING THE LATE WAR, IN AMERICA; FROM THE YEAR 1775, COMMENCING 1ST OF MAY; UNTIL THE PEACE.

COL. THOMAS FLEACHALL[1] of Fairforest, ordered the different Captains to call musters, and present two papers for the inhabitants to sign. One was to see who was friends to the King and Government; and the other was to see who would join the Rebellion.

The first day of May, Capt. James Lindley of Rabern's Creek, sent to me, as I was a Sergeant of the said company, to have his company warned to meet at his house 15th of said month. I did accordingly, and presented two papers; there was 118 men signed in favour of the King, also declared to defend the same, at the risk of lives and property, in July 1775. There was several advertisements set up in every part of said district, that there was a very good prespetearing minester to call at the Different places, to preach, and Baptise children.

But at the time appointed, instead of meeting a Minister, we all went to meet two Jews by name of Silvedoor and Rapely; and after making many speeches in favour of the Rebellion, and used all their endeavors to delude the people away, at last presented Revolution papers to see who

would sign them; they were severely repremanded by Henry O'neal[2] and many others. It came so high, that they had much adue to get off, with their lives. The Rebels then found that we were fully determined to oppose them. They began to embody in the last of said month; to compel all to join them, or to take away our arms. Our officers got word of their intentions. I then got orders from the Captain to warn the Militia to assemble themselves at Hugh O'neal's mill; which was done by several Captain's companys, and continued for several days under arms; and then both parties was determined on this condition, that neither parties should intercept each other. This continued for some time, until the Rebels had taken Thomas Brown,[3] who after that had the honor to be Colonel of the Regiment of the East Florida Rangers, at Augusta. They burnt his feet, tarred, feathered and cut off his hair. After that he got so he was able to set on horseback, he came to our poast, and the Rebels then began to embody again. Col'n Fletchall found a large camp, and marched from the Liberty Springs to Mill Creek on our way towards Ninety-Six; Twelve miles from Ninety-Six the Rebels found they were not strong enough for us, and sent an Express to Col'n Fletchall to come and treat with them, which said Fletchall did. But the terms of their treatment I did not know. We were all dismissed until further orders. In a short time after the Rebels took Capt. Robert Cunningham[4] and carried him off to Charlestown. Our party was then informed of his being taken off in the night time, and by making inquiry after him, we got information of a large quantity of Ammonition, that was there, on its way to the Cherechee Nation for Capt. Richard Paris to bring the Indians down into the settlement, where the friends of the Government lived, to murder all they coud. We intercepted the amonition and took Capt'n R. Paris,

who swore to these facts. We there formed a large camp, and Col. Fletchall being so heavy, he gave up the command to Maj. Joseph Robinson.[5]

In the month of Nov'r 1775, the South Carolina Militia, of which I was at that time Sergeant, under the command of Major Joseph Robinson, laid seige to a Fort, erected by the Rebels at Ninety-Six; commanded by Col. Mason; which continued for the space of three days, and three nights—at the expiration of which time the Rebels were forced to surrender, and give up the Fort and Artillery. Major Robinson then ordered the Militia to the North side of Saluda River, and discharged them, for eighteen days. Afterwards orders were issued for every Captain to collect their respective companies at Hendrick's Mill, about 20 miles from Ninety-Six; The Rebels having received intelligence of our intended motion, they immediately marched before us; and took possession of the ground, which prevented our assembling there. But about 300 of our Men met at Little River and marched from thence to Reedy River; and encamped at the Big Cane Break, for several days. The Rebels being informed of our situation, marched unexpectedly upon us, and made prisoners of 130 of men: the remainder fled into the woods and continued there, with the Cherichee Indians until the 18th Jan'y 1776; when I was made a prisoner by a party of Rebels commanded by a Captain John Burns; who after detaining me four days, repeatedly urging me to take the oath of allegiance to the United States. stript me of every thing, and made me give security, for my future good behaviour, by which means I got clear: On the 10th of May 1776 hearing the Rebels had issued a proclamation to all the friends of government, offering them pardon and protection, provided they would return to their respective habitations and re-

main neutral, this induced me for to return to my home, where I arrived on the 15th of June.

On the 20th, the Rebels being apprehensive of the Cherichee Indians breaking out, despatched several emissaries among the Loyalists, for to discover their intentions. One of which was Capt. Ritchie, who came to me, and told me he was a friend to Government, and sometime before left the Indian Nation, and then wanted a pilot to conduct him to the Indian Nation again. I agreed to conduct him to any part of the country he wanted for to go to, provided he would keep it secret. This he promised for to do. But immediately he went and lodged information against me, and swore that I then had a company of men, ready in order, for to join the Indians. In consequence of this, I was made prisoner again, on the 25th, by a Capt. John Rogers, and thrown into close confinement with three centinels over me. On the 1st of July, the Indians came down into the back country of South Carolina, and killed several families; at which time, the rebel camp being in great confusion, I made my escape, and went to my own house at Rabirn's creek; but finding a number of my friends had already gone to the Indians, and more disposed so for to do, I got twenty-five men to join me; and on our arrival at Parishies plantation, on Reedy River, in the Indian land, we formed a junction with the Indians, on the 16th inst., in the evening; the militia and the Cherickees to amount of 260 surrounded the fort built with logs, containing 450 of the Rebels. After a smart fire on both sides for two hours and a half, we retreated without any injury except one of the Indian Chiefs being shot through the hand. I then left the Indians and persued my way to North Carolina; where, on my arrival, I was taken up again, and close confined; but was rescued by my friends, three different times. After which I made my escape good. I then endeavored for

to go home again; and after experiencing numberless hardships in the woods, I arrived the 10th of March, 1777, at Rebun's creek, South Carolina.

I was made prisoner again on the 11th, by a Capt. Smith, bound hand and foot, and carried under guard, towards Ninety-six goal; after marching twelve miles, the company halted for the evening, and watching an opportunity, I cut the ropes I was bound with, and stript myself when the guard was asleep, I threw myself out of the window and returned back to Reburn's creek, by a different way, from that which they had carried me prisoner. I was obliged now for to secret myself in the woods, and was supplied with provition by some Quakers, and other Loyalists, in the neighbourhood.

A company of loyalists, of which I was one, was then raised by a Richard Parish, and it was determined to go to Mobile, and join the British army. One of the company proving treacherous, gave information to the rebels, who raised a body of troops for to suppress us. They took me, with five more prisoners, and carried us to Ninety-six goal, on the 5th August, 1777. Captain Parish escaped with some loyalists, belonging to the company, and made his way good to the British army at Mobile, in West Florida. Myself, with five others, who were taken, remained in close confinement, until November following, and we were tried for our lives, on a charge of High Treason, for rising in arms against the United States of America; but were acquited and went home. The fees and expenses of my confinement amounted to £300, Virginia money, allowing dollars at six shillings each, which I paid, and was then ordered back to the goal for the rent of the room.

On the 1st of March, 1778, Capt. John Tork, of East Florida, received orders from the commander-in-chief for the Loyal Militia, of Georgia, and South Carolina, to assemble themselves. Accordingly, they were embodied.—

The majority of the people chose me their commanding officer, we took a number of prisoners, furnished ourselves with horses, and marched to Savannah river on the borders of Georgia, (two miles above Augusta), Capt. Tork, who was our pilot, then got discouraged, and would not suffer any of the miltia to proceed with him back to East Florida except three men ; we were then under the necessity of returning home, upwards of one hundred miles, through the rebel country : and betake ourselves to the woods as formerly. During our retreat, we were persued by three hundred rebels ; but we got back home to Reburn's creek safe. When the Rebels found we were returned, they raised a body of men for to take us ; and for the space of three months kept so constant a look out that we were obliged for to stay in the woods ; six weeks of which time I never saw a man, except Samuel Brown (who was afterwards killed at Tiger river), that shared my sufferings ; we lived entirely without either bread or salt, upon what we killed in the wilderness. We determined, let the consequences be what they would, to proceed to the settlement of Green river, North Carolina, where we rested ourselves at a friend's house, about a week. Here we parted. I then proceeded to Tiger river, where I arrived safe on the 1st of June, 1778. Myself, and Samuel Smith, now associated, and were taken by a company of rebels commanded by a Capt. Goiry. We made our escape the second night, by bribing the sentinel, and parted company. I met with one of the horses belonging to the rebels, about a mile from the house I had escaped from, and mounted him. They persued me through the woods by the horse's tracks, upwards of seventy miles, and came to Reburn's Creek, where I lived. They were anxious to recover their horse from me, and promised for to return one of the four they had taken from me, if I would deliver up the said horse.

This being agreed upon, I went with them for to receive my own horse back ; when we had advanced 30 miles we came near to where a rebel fort was ; I desired them to go, a little out of the way, and avoid it, which they had promised to do before we proceeded on our journey. One of them laid hold of my horse's bridle, and told me to surrender myself a prisoner, for they were determined to confine me in the Fort, or carry me to Ninety Six goal, about 80 miles off. They said I was not in that damned tory country at that time. I, therefore, after some conversation, concluded to submit for to be disarmed at the time, as they threatened blowing a ball through me every instant, if I did not surrender ; which I did. On my arrival at the Fort, I was stript of my clothes, and confined close 'till morning, when they tied my legs under a horse's belly, and took me before a magistrate to commit me to goal. However I was admitted to bail for my good behaviour. On my return to the people, who took my horse, and clothes, and asking for them, I was retaken before another magistrate, and committed to goal, under a strong guard. On my proceeding towards the goal, the guard was particularly careful about securing me ; and in order for to do it, the more effectually tied me with a rope, to a stout fellow who was one of them. When I found him asleep, I took the opportunity to cut myself loose with a knife (or rather with a pair of horse fleames) which was accidently left lying in the road, and throwing myself out of the window made my escape, and took to the mountains for shelter. I continued there, for some time, when Col. Mills of the Loyal Militia on knowing where I was, proposed at several meetings, we had, to raise a company ; which we did, of 500 men, for the purpose of going to St. Augustine. One of the company proved faithless, and gave information to the Rebels, who immediately embodied themselves ; and took Col Mills

prisoner, with 16 of the company, and carried them off to Salisbury Jail. Myself with 14 more persued about 20 miles with an intention of rescuing them, until we were in sight of Gilbert Town; where the Rebels had a guard; and finding we could not effect our purpose at that time, our numbers being so small, and theirs increasing, we returned back. The Rebels persued us all night, and in the morning, we pereeived them within shot of us; we fired upon them, which they returned; and continued skirmishing with them in the woods about an hour; when they retreated. What injury we did them we could not tell; on our part we suffered no loss. Here our party separated. I made way for Holsten River about 140 miles through the woods—I had proceeded about 40 miles on my way, when I was met by three men; one of which knew me. He came to me, with seeming friendship, and on taking my hand, called his companions to assist him in securing me; which they did; and made me a prisoner. They tied my hands behind my back, and feet to each other under the horses belly and took me to Ninety-Six Jail again, where I was closely confined for 17 days. During my confinement I got acquainted with a friend to the government, who lived there, by talking to him through the grates; He furnished me with two files and a knife, by which means I cut through the iron bars and escaped. I returned again to Reburn's Creek and after remaining some time in the woods there, I was advised by friends for to make peace with Capt. Gillian, who commanded a company of Rebels on the Indian lines. He I durst not be seen by any one of the Rebel party, I got one of my friends to go to him, and desire him to meet me alone, at a particular place, and give him my word I would not injure him. We met accordingly, and passed our words not for to disturb or injure each other. We continued our meetings, in the woods, generally, every day,

or two, for the space of a month ; until we were discovered by some of his company ; who threatened for to have him punished for treating with me ; however he still met me, now and then, and introduced, a friend of his, to me ; who he told me, I might depend upon. One day, I observed an alteration in their behaviours, and asked them when at some distance, if he meant for to keep his word with me, He replied "by all means." We were all on horseback, and I had my rifle across my saddle. When we were going to part, as I expected, he suddenly seized my rifle ; and the man who was with him seized hold of my horse's bridle, he presented his rifle to my breast and told me I was his prisoner, or a dead man. I was under the necessity to surrender, and they carried me again to my old quarters at Ninety-Six, where we arrived on the 11th of Oct'r 1778. I was stripped entirely naked, thrown into irons and chained to the floor. I remained in that situation until the 20th of December following, when I again made shift, for to get my irons off, and having sawed one of the grates some time before, I again escaped by means of a fellow prisoner, who supplied me with some old clothes, of which I made a rope to let me down ; I received a fall in getting down, but luckily did not hurt myself. The Goalor heard me fall, and presented a musket at me, out of a window ; but I avoided him. He alarmed the guard and they persued me ; but however I got clear off. I found myself much hurt by a fall I got in their chasing me. I got back to Reburn's Creek ; but was taken in three days ; and again introduced at Ninety-Six. I was chained and ironed as before, in the centre of a room 30 feet square ; forty-five from the ground, the snow beating in, through the roof, with 4 grates open night and day. I remained in this state eleven days ; I got my chains off in the night of the 12th ; The Goaler did not chain me down again ; but I had still

part of them remaining on one of my legs, which weighed seven pounds and three quarters. I continued loose in Goal until the 13th of February 1779, when I took a bar out of the window, in the night, and prised one of the planks out of the floor of the Room, and from thence went down stairs; I found the door fast, secured; but I went to a breach, I had formerly made in the back of the chimney, and got out. One of my fellow prisoners escaped with me, and we kept together for some time after. We found a number of Horses grazing in a field belonging to a company of Rebels, under the command of Capt. Fair; who that night come into Town. We mounted each of us, and rode off to Reburn's Creek. On our way, we stopped at a house, and furnished ourselves with a Rifle and a pair of pistols; we also supplied ourselves with clothing. By this time, the neighbourhood was alarmed, and the rebel militia sent in persuit of us. They laid several ambuscades, but without effect, and continued embodied, for six months. I was so fortunate as for to escape; but my companion was taken. The day after, he was taken, I was riding through a piece of timbered woods, when I discovered a party of men—they discovered me, and persued on full speed for seven miles; but I was lucky enough to escape them; but my Horse falling, threw me, and I unfortunately lost my rifle. An advertizement was, then, made public, for apprehending me; and a reward of Seventy silver dollars, and Three Hundred paper ones, was offered to take me. This made me very cautious, notwithstanding which I was betrayed, and fired upon by a party of Rebels, in number, sixteen; I received two bullets in my back; one of which is not extracted. I luckily kept my seat in the saddle, and rode off. After proceeding 12 miles I turned my horse into the woods, and remained there eight days; having no support but herbs, except three eggs: my wounds, at this time

being troublesome and offencive, for the want of dressing, I got my Horse again, and moved about 12 miles to a friend's house; where on my arrival, I made a signal, which they knew, to acquaint them, of my being alive—a young girl of fourteen years old, came to me; but when she came near enough to see me, she was frightened so at the sight, she run off. I persued after her on horseback, telling her who I was; She said she new it was me, but I was dead; that I was, then, a spirit and stunk yet. I was a long time before I could get her to come to me, I looked so much like a rack of nothing but skin and bones, and my wounds had not been dressed, and my clothes all bloody. My misery and situation was beyond explanation, and no friend in the world that I could depend upon; However, these people seeing me in that distrest situation, took the greatest care of me, and dresst my wounds. My horse having been seen by some of the Rebel party, they concluded I was not killed; and wrote several letters which they gave one of my friends, offering to treat with me; and advising me to surrender; threatening at the same time, in case I did not, to banish eight families of my friends out of South Carolina. A limited time was given for my answer, but it had expired, before that I received the letters; in consequence of which, their threats were put in execution; and the people's properties was taken from them, and they confined. On the receipt of my letter, the people were liberated, but their properties were still detained.

The second day, after, I treated with the Colonel of the Rebel Militia, and had an express sent off to Gov. Rutledge at Charlestown, about a week after his answer came back with a conditional pardon for that which I had done, should be forgotton, and that I should live quietly and peacefully at home; and be obliged to pilot parties through the woods as occation might require.

Before I excepted of these conditions, I advised with my friends, and company, who all approved of it, as it conduced both to their ease, and safety.

I remained at home a year and twelve days; and was repeatedly urged for to except of a company in the Continental service, which I always refused.

After the reduction of Charlestown, myself and one William Cuningham,[6] concluded for to embody a party of men, which we affected.

We determined for to take Col'n Williams, of the Rebel Militia, prisoner, and then to join Capt. Parish, who was to raise a company and assist us. Col'n Williams got notice of it, and pushed off: and though we got sight of him, he escaped us.

We now found ourselves growing strong, and numbers flocking daily to us.

I then took the King's proclamations and distributed them through the country, for upwards of a hundred miles.

Capt. Parish had command of the party, and marched up to Ninety-six, which he took command of, without firing a shot, where I found him again. The day after, we marched about 12 miles, to Gen. Williamson's at White hall; who commanded a fort with 14 swivels, and two companies of provincial troops. On our approach, he met us, about three miles of the Fort, attended by several officers, requesting he might discharge the troops, and have protection for himself and them.

We granted him what he requested: and took possession of the Fort, and their arms, which they piled up; after that they marched out of the garrison.

Three days after that, Col. Pickins, with 300 men, marched out and laid down their arms.

General Robert Cunningham, of the Loyal Militia, now took the command; and formed a camp.

We kept scouting parties, through the country, and had many skirmishes ; but none of consequence.

After the British American troops, had taken possession of Ninety-six, I continued scouting on the Indian lines, until Col. Innis forwarded his march up to Musgrovi Mill, on the Innoree River, I then joined them with a party of fourteen men.

The following morning the picketts were attacked by a party of Rebels. Col. Innis ordered us to advance and support them, which we did, and followed them until we arrived where the main body lay, under Col. Williams. Col. Innis was unfortunately wounded, with several other officers.

We engaged them for sometime, and then retreated about a mile and a quarter ; where we encamped and in the night, marched off towards Ninety-six, under command of Capt. Depister.[7]

The next morning I, and my small party returned back to the Indian lines. We continued scouting on the lines, for sometime, until I met with Capt. Parish, of the British American South Carolina Regiment, who gave me a list of some soldiers that he had permission for to visit their friends in the country, on the return from Florida to Ninety-six, I was desired by him for to go to give them notice for to join their regiments. On this expedition, I fell in with Major Forgessons[8] party, which was defeated, five days afterwards The Rebels after that, began to be numerous and troublesome ; and little or no regulation amongst us. I made the best of my way to Deep River, North Carolina, where I remained until the month of February, 1781.

I was, during this time, discovering the disposition of the people ; being informed that Lord Cornwallis was marching that way, I kept my intentions secret, until I received certain accounts. I then caused this advertise-

ment to be published, and used all my influence to get all the Loyalists to join me, and defend ourselves when occasion might require. A true copy of which is here set forth.

"ADVERTISEMENT.

If any of his Majesty's loyal and faithful subjects, able and willing to serve in the Royal North Carolina Regiment commanded by Col. Hamilton, are hereby requested to repair to his encampment. The Bounty allowed for each man, is three Guineas; and the terms of the engagement are that he shall serve during the Rebellion, and within the Provinces of North and South Carolina, and Virginia only; that during his service he shall be entitled to Clothing, Pay, Provisions, and all the advantages of his Majesty's Regular, and Provincial Troops: and at the end of the Rebellion, when he becomes discharged, of course, he is to receive as a reward for his services during the war, a free grant of Land agreeable to his Majesty's proclamation."

Of his[9] persuing Gen. Greene, as far as Hillsboro, this struck such a terror on the Rebels, and was so pleasing to us, that we immediately disarmed the disaffected and embodied about 300 men under the command of Col. Pyles. He fell in with a party of Rebels (Col. Lee's dragoons) and lost 20 men killed, besides the wounded, that died afterwards. At this time I was with a small party at Deep River, where I took two Rebel officers, prisoners and several soldiers. I then directed my march where I left Col. Pyles and came within a little distance of the Dragoons, that had cut him up, when I was informed of his misfortune by some of his party that had fled; we then separated into small parties and took to the woods for sometime.

The day Lord Cornwallis defeated Gen. Greene at Guildford,[10] I was surprized by a Captain Duck, with a company

of Rebels, where I sustained a loss of all our Horses, and arms : we had one man killed on each side.

The day following, myself, and three more of the company, furnished ourselves with arms, and persued the Rebels, who we discovered had gone to their respective homes with their plunder. We visited one of their houses and found the horses which had been taken from the friends of the Government ; and discovering one of the said party in an out house, I fired at him, and wounded him in the neck with buck shot ; but he escaped. We then mounted ourselves, and turning the other horses into the woods, we returned back to Deep River. We kept concealed in the woods and collected 25 men, having scouts out continually until we proceeded to Dixon's Mill, Cane Creek, where Lord Cornwallis was there encamped. On our arrival there his Lordship met us, and asked me several questions respecting the situation of the country, and disposition of the people. I gave him all the information in my power, and leaving the company with his Lordship, I returned back to Deep river in order for to conduct more men to the protection of the British arms.

Two days following, I returned to the army at Chatham Court house, after being surprised and dispersed by the Rebel Dragoons; on my bringing in 70 Loyalists. I joined my company again and went with his Lordship, to Cross Creek, and as we had lost most of our horses, we determined to return to Deep River, and join his Lordship when on his way to Hillsborough. General Green followed his Lordship as far as Little River, and then returned to Ramseys Mills on his way to Camden ; his men marched in small parties and distressed the friends to Government, through the Deep River settlement ; I took 18 of them at different times, and paroled them, and after that we were not distressed by them for some little time ; after a little while

some of us had assembled at a friends house, where we were surrounded by a party of 14 Rebels under the command of Capt. John Hinds; we perceived their approach and prepared for to receive them: when they had got quite near us, we run out of the doors of the house, fired upon them, and killed one of them: on which we took three of their horses, and some firelocks—we then took to the woods and unfortunately had two of our little company taken, one of which the Rebels shot in cold blood, and the other they hung on the spot where we had killed the man a few days before—We were exasperated at this, that we determined to have satisfaction, and in a few days I collected 17 men well armed, and formed an ambuscade on Deep River at Coxe's Mills, and sent out spies. In the course of two hours, one of my spies gave me information of a party of Rebels plundering his house, which was about three miles off. I instantly marched to the place and discovered them in a field near the house. I attacked them immediately, and kept up a smart fire for half an hour, during which time, we killed their Captain, and one private, on the spot—wounded three of them, and took two prisoners besides eight of their horses well appointed, and several swords. This happened on the 11th of May, 1781. The same day, we persued another party of Rebels, and came up with them the morning following; we attacked them smartly and killed 4 of them on the spot wounded 3 dangeronsly and took one prisoner with all their horses, and appointments. In about an hour after that, we took two men of the same party, and killed one more of them; the same evening we had intelligence of another party of Rebels, which were assembling about 30 miles off in order for to attack us; as I thought it best to surprize them where they were collecting, I marched all night and about 10 o'clock next morning, we came up with them; we commenced a

fire upon each other, which continued for about 10 minutes when they retreated; we killed two of them, and wounded 7, and took 18 horses well appointed; we then returned to Deep River again—I still kept the company together, and waited for another opportunity, during which time, I took two Rebel soldiers and parolled them, who gave me information of a Col. Dudley coming from Gen'l Greens camp at Camden, with baggage.

I mounted my men and set forward in search of them; and I concealed my men by the side of the road; and I thought the time long; according to information I had from the soldiers—I took one man with me, and went to see if I could make any discovery. I rode a mile and a half, when I saw Col. Dudley with his baggage—I then wheeled my horse, and returned to my men; where I came within a hundred yards of them, Dudley and his Dragoons was nose and tail and snaped their pistols several times. I, then, ordered a march after them, and after marching $2\frac{1}{2}$ miles I discovered them, and immediately took three of them prisoners, with all the baggage and nine Horses. The baggage I divided among my Men, which agreeably to Col. Dudley's report was valued at £ 1,000 sterling. I returned to Coxe's Mill and remained there till the 8th June; when the Rebels embodied 160 men to attack me, under the command of Cols. Collyer and Balfour. I determined to get the advantage by attacking them, which I did with 49 men in the night, after marching 10 miles to their encampment. They took one of my guides, which gave them notice of my approach: I proceeded within thirty steps of them; but being unacquainted with the grounds, advanced very cautiously. The sentinel, however, discovered my party, and firing upon us, retreated. They secured themselves under cover of the houses, and fences; the firing then began; and continued on both sides for the space of

four hours; being very cloudy and dark—during which time I had one man killed, and six wounded; and the guide, before mentioned, taken prisoner; whom they killed next morning in cold blood. What injury they suffered, I could not learn; As the morning appeared, we retreated, and returned again to Deep River; leaving our wounded men at a friend's house, privately.

The Rebels then kept a constant scouting, and their numbers was so great, that we had to lay still for sometime; and when Collier and Balfour left the settlement, he the said Colonel Dudley, before mentioned, took the place with 300 men from Virginia. He took a negro man from me and sold him at public auction for 110 pounds; the said negro was sent over the mountains, and I never saw him since. At length they all began to scatter; and we to embody. William Elwood being jelous of my taking too much command of the men, and in my absence, one day, he persuaded them that I was a going to make them regular soldiers, and cause them to be attached to Col. John Hamilton's[1] Regiment; and vindicated it, by an advertisement, that I had handed to several of the Loyalists; that I thought had the greatest influence with the Loyalists. He so prevailed with the common sort, that when I came to camp I found most of my men gone; I, then, declared I never would go on another scout, until there was a Field Officer. The majority chose me; They, then, drew up a petition to the commanding officer of the King's troops.

A general meeting of the Loyalists was now called, in order, for to appoint a commanding officer of the Militia; it was still determined that I should be the person. I accordingly set off, for Wilmington, being 160 miles, with a petition of the people, to the officer commanding, at that post, for his approbation. On my arrival there Major Craig, who commanded, treated me, with every respect,

and approved of said petition ; and gave a commission as Col. of the Randolph and Chatham Militia—a copy of which is hereunto annexed.

"By James Henry Craigg, Esqr. ; Major in his Majesty's 82d Reg. commanding a detachment of the King's Troops in North Carolina, &c., &c.

To David Fanning, Esqr.

These are to appoint you, to be Colonel of the Loyal Militia, in Randolph, and Chatham, Counties, who are directed to obey you, as such, in all lawful commands, whatsoever ; and you are authorized to grant commissions to the necessary persons of known attachment to his Majesty's person, and Government, to act as Captains and subalterns to the different companies of Militia aforesaid. As Colonel, you are hereby fully impowered to assemble the militia, and lead them against any parties of Rebels, or others ; the King's enemies, as often as necessary—to compel all persons whatsoever to join you—to seize and disarm, and when necessary to detain, in confinement, all Rebels or others, acting against his Majesty's Gov't ; and to do all other acts becoming a King's officer, and good subject.

Given at Wilmington, this 5th July, 1781.

J. H. Craigg,

Major, Commanding the King's Troops."

On the 12th July, I returned from Wilmington, and ordered a general Muster ; and then gave the following commission to the gentlemen hereinafter named of their respective companies.

By David Fanning Esq
Colonel of the Loyal Militia of No Ca.

To ——— ——— Greeting

Having received sufficient testimony of your Loyalty and Zeal for his Majesty's Service and relying on your courage and good conduct I do hereby appoint you to be ——— ——— of a company in the district of ———. You are, therefore, diligently and carefully to discharge the duty of such; obeying all orders and directions, which you may receive from time to time, from any superior officers, in his Majesty's Service, and all others; The inferior officers of his Majesties subjects, of that and every other company are directed and requested to obey you as ——— of said company.

Given under my hand at Coxe's Mill this ——— 1781.

David Fanning
Col. Com'g his Majesties Loyal Militia, &c.

The names of the Officers of Randolph County, as they was commissioned in their different companies

1. John Rains, Capt. 16 July, (promoted maj'r 13 Oct. 1781.
   William Rains, Lt.
   Thomas Donnelly Ensign.
   John Spinks Ser. Maj.
2. Geo. Rains, Capt. In Charleston at the peace.
   Ebenezer Wollaston, Lt. do.
   Robt. Rains Ensign - - - - in N. C.
3. Wm. Fincannon, Capt. - - in N. C, now
   Rich'd Bird, Lieut. - - - - do.
   Cornelius Latham, Ensign - - - do.

4th. Michael Robens Capt. last account in N. C.
William Hillis, Lt. in Florida at the peace.
Daniel Brown, Ensign. killed in N. C. by the Rebels.
5. Robert Turner,[12] Capt. - - - in N. C.
Absolem Autrey, Lt. - - - in Florida.
Wm. King, Ens. - - joined the Rebels.
6. Stephen Walker, Capt. - - - murdered.
Frederick Smith, Lt. hanged at Hillsboro, for his loyalty.
Wm. Hunsucker, Ens. do. do.
7. Jos. Currie, Capt. - - In Florida at the peace.
Benj. Shields, Lt. - - - - in N. C.
Jas. Rains, Ens. - - - - in S. C.

The names of the Officers of the different Companies in Chatham County

8. Thomas Dark Capt. Hanged at Hillsboro for his loyalty.
Wm. Hoocker Lt. Murdered by the Rebels.
Henry Ramsour Ens. In Charleston S. C. at the peace.
9. Wm. Lindley, Capt. Murdered by the Rebels.
Wm. Peles, Lt. Went to Penns.
Wm. McPherson, Ens. In Charleston.
10. Sam'l Dark, Capt. At last account in N. C.
James Ellett, Lt. Drowned in Florida
Thos. Ellett Ensign. In Florida
11. Benj. Underwood Capt., late in New Brunswick
Fred. Smith, Lt., in N. C.
Adam Smith, Ens. " "
12. Wm. Deaton Capt. Killed in battle on the day after the rebel, Gov. Burke was taken.
Wm. Carr Lt. In West Indies
John Erwen, Ens. Florida.

13. Martin Kendrick Capt.	N. C.
Thos. McDowell	rebel Capt.
Wm. Brown	joined the Rebels

Names of Officers in Orange co.

14. Rich'd Edwards, Capt.	Killed in battle
Edward Edwards, Lieut.	do 13th Sept.
Thos. Estwick, Ensign—	
15. Stephen Holloway, Capt.	Killed in battle
John Hastings, Lieut.	Now in N. C.
Ab'm Nelson, Ens.	

The names of the Officers in the different Companies in Cumberland County

16. John Cagle, Capt.	Hanged by the Rebels at P. D.
Jacob Maunep, Lieut.	In N. C.
Wm. Dunn, Ensign	
17. Meriday Edwards Capt.	East Florida
Reuben Shields, Lieut.	N. C.
Wm. Hancock, Ens.	
18. Alex. McIver, Capt.	
Murdock Martin, Lt	England
19. Wm. McLoud, Capt.	
Alex'r McLoud, Lt.	

The names of the Officers in Anson county.

20. Wm. Price, Capt.	Killed by the Rebels.
Wm. Fanning Lt.	hanged.
21. Wm. McKnight Capt.,	Murdered.
Stephen Phillips Lt.,	in S. C.
22. Abner Smally Capt.	in Burke Co. N. C.
Jos. Hodge, Lt.	murdered by the Rebels.

Those gentlemen had their appointment from Major Ferguson in So. Ca. in July 1780, but joined all according to their dates.

On my return to Deep River I immediately caused a general Muster of the Loyalists, which I collected to the amount of 150 men, but finding them deficient in arms I discharged all of them except 53, which I appointed fully; out of which, I collected from the whole, and ordered the rest, to be ready to join me when I called for them. I, also, gave the foregoing commissions, to the different officers set forth, who rendered many services to the British Government, during the late war, who singulared themselves with me in the interior parts of that rebellious Country, and subdued the greatest part of the province; so far that the worst of Rebels came to me, beging protection for themselves, and property. The exertions of myself, and the other officers had the whole country under the protection of the British government, until long after the surrender of Lord Cornwallis, and the evacuation of Wilmington; and after all the British Troops was called to their different posts on the Sea shore.

I continued acting in the interior parts of North Carolina, and was like to obtain a truce with the Rebels in the heart of the country. Those people have been induced to brave every danger and difficulty during the late war, rather than render any service to the Rebels—their properties real and personal, taken to support their enemies—the fatherless and widows stripped, and every means of support taken from them—their houses and lands and all personal property taken, and no resting place, could be found for them. As to place them in their former possessions, is impossible—stripped of their property, driven from their Houses; deprived of their wives and children—robbed of a free and mild government—betrayed and deserted by

their friends, what can repay them, for the misery? Dragging out a wretched life of obscurity and want, Heaven, only, which smooths the rugged paths, can reconcile them to misfortune. Numbers of them left their wives and children in North Carolina, not being able to send for them; and now in the west Indies and other parts of the world for refuge, and not returned to their families yet. Some of them, that returned, under the act of oblivion passed in 1783, was taken to Hillsboro, and hanged for their past services that they rendered the Government whilst under my command. I am fully sensible of the good designs that government intends for the Loyalists in so repeatedly renewing the act. I can solemnly declare that, I think, Major John Rains, and Capt. George Rains two of the diservingest officers that ever acted in America during the late war, either in the provintial or Militia; and to my certain knowledge John Rains had two Mills burnt; three dwelling Houses and besides a barn, and property totally taken away. I have given a direct account of the officers opposite their names as I possibly can; also their promotions and deaths. What I have set forth, I will forever vindicate. Besides other officers of other counties that joined me at different times, and places, as I shall refer to, in other parts of my Journal; in particular Col. Arch McDugald[13] and Samuel Andrews who joined me several times. Given at Kings County New Brunswick Nov 29th 1789.

The Rebels on the same day held a general muster at Chatham Court House, about twenty-five miles, where I had assembled, and the day following were to call a court-martial for the trial of several Loyalists, who had refused to bear arms, in opposition to government. Upon receiv-

ing this intelligence I proceeded towards the Court House, 17 miles, that night, with the men I had named; and the morning following, by 7 o'clock, I arrived there. I surrounded the place, where they were. I expected to find members of the Court Martial, but they had dispersed the evening before, and were for to meet at 8 o'clock. I then posted pickets on every road, and within the space of two hours, took 53 prisoners—among them, the Colonel, Major and all the militia officers of the county, except two, who had not attended; and also one Continental Captain, with three of their delegates of the General Assembly. I immediately marched them to Coxe's Mill, and parolled all except 14, who I knew were violent against the government. Those I conducted to Wilmington and delivered to Major Craigg. I then represented to Major Craigg that with his approbation, I would establish certain regulations for the conduct of the militia; which he approved of; and he was obliging enough, on my giving them to him to correct, and confirm; the following rules, which were printed and distributed in the country.

RULES and REGULATIONS for the well governing the loyal Militia of the Province of North Carolina:

1st. No person to be admitted a militia man until he takes the oath of Allegiance to his Majesty, which is always to be done before the senior officer of the Regiment on the spot.

2d. All persons once enrolled, in a Militia company, and having taken the oath above mentioned, will be considered as entitled to every privilege and protection of a British subject, on being detected joining the Rebels, will be treated, as a deserter, and traitor.

3d. Every militia man is to repair, without fail or excuse, except sickness, at the time appointed, to the place

assigned by his Col'n or Capt. with his arms, and accoutrements, and is not to quit his company, on any pretence whatever, without the knowledge and permission, of his Captain or commanding officer.

4th. The Col'n of every County has full power to call his Regiment together, and march them when necessary for his Majesty's service; the Captain of each company has also power, to assemble his company, when any sudden emergency renders it necessary, and which he is to report as soon as possible to his Colonel.

5th. Mutual assistance is to be given on all occations; but so it is impossible to give positive directions on this subject, it is left to the discretion of the Colonels of Regiments, who must be answerable that, their reasons, for not affording assistance when required, are sufficient.

6th. When the Militia of different counties are embodied, the senior officer is to Command; Colonels of Regiments are immediately to determine, the present rank of their Captains, in which, regard is to be had to seniority of commission or service. In cases of vacancies; the Colonels may grant temporary commissions, till recourse can be had to the Commanding officer of the King's troops.

7th. The men are to understand, that in what relates to the service they are bound to obey all officers, though not immediately belonging to their own companies.

8th. Court Martials may sit by the appointment of the Colonel or Commanding officer; and must consist for the trial of an officer, of all the officers of the Regiment he belongs, except the Col'o or Commanding officer, and for the trial of a non Commissioned Officer or Private, of 2 Captains, 2 subalterns and 3 privates—the latter to belong to the same company, as the person to be tried. The eldest Captain to preside; and the sentence of the Court, to be

determined by plurality of votes; and approved by the Commanding Officer.

9th. No Colonel is to supereede an officer without trial; but he may suspend him 'till he can be tried.

10th. Quiting camp without permission, disobedience of orders, neglect of duty, plundering, and all irregularities and disorder to be punished at the discretion of a Court Martial, constituted as above mentioned; and by the approbation of the Col'n or Commanding officer; who has power to pardon, or remit, any part of a punishment, but not to increase or alter it.

11th. Every man must take the strictest care of his arms, and ammunition; and have them always ready for service.

12th. When the Militia is not embodied, they are at all times to be attentive to the motions of the Rebels; and immediately to acquaint the nearest Officer of any thing he may discover, who is to communicate it to his Col'n or other Officers as may be requisite.

13th. It is the duty of every person professing allegiance to his Majesty to communicate to the Commanding Officer of the nearest British port any intelligence he can procure of the assembling or moving of any bodies of Rebels. Persons employed on this occasion shall always be paid.

14th. Col'ns of Regts. may assemble any number of their men, they think necessary to be posted in particular spots of their districts—their time of service on these occasions is to be limited; and they are at the expiration to be relieved, by others. Great care is to be taken that no partiality is shown, that each take an equal proportion of duty; for which purpose alphabetical rolls are to be kept, by which the men are to be warned. Every Capt. to keep an account of the number of days each man of his company serves.

The strict observance of the above regulations, is strongly recommended as the best means of the King's faithful subjects manifest superiority over the rebel militia; and insure them, that success their zeal and spirit in the cause of their country entitles them to expect.

Head Quarters, Wilmington 25 *Sept.* 1781.

I thought proper to administer the following oath of Allegiance unto those people I was dubious of. "I—A B—, do swear on the Holy Evanglists of Almighty God to bear true allegiance to our Sovereign Lord, King George the 3d; and to uphold the same. I do voluntarily promise for to serve as Militia, under any officers appointed over me; and that I will when lawfully warned by our said officers assemble at any place by them directed in case of danger; in the space of 8 hours. I will go with my arms and accoutrements in good order, to supress any rebels or others, the King's enemies; that I will not at any time do, or cause to be done any thing prejudicial to his majesty's goverment; or suffer any intercourse, or correspondence, with the enemies thereof; that I will make known any plot, or plots, any wise inimical to his Majesty's forces, or loyal subjects, by me discovered, to his majesty's officers contigious, and it shall not exceed, six hours, before the said is discovered, if health and distance permit. This I do solemnly swear and promise to defend in all cases, whatsoever. So help me, God!"

I then returned to the head of Little River, on my way to Coxe's Mill: where I was met by two men, who informed me that the Rebels had separated into two small parties; thinking I should never return frm. Wilmington: I passed on and got intelligence of Col. Altstine lying on the banks of Deep River, with a party of 25 men. We marched all that

day and night following; and just as the day dawned, we advanced in three divisions, up to a house, they had thrown themselves into. On our approach, we fired upon the house, as I was determined to make examples of them, for behaving in the manner they had done, to one of my pilots, by name, Kenneth Black. They returned our fire, and the action continued upwards of 3 hours, when after killing four of them, and wounding all the rest, except three, they sent out a flag to surrender. Col. Altine's lady beging their lives. On her solicitation, I concluded to grant her request; and after the capitulation I gave the following paroles to Col. Philip Alstane and his men.

"I do hereby acknowledge myself a Prisoner of war, upon my parole, to His Excellency Sir Henry Clinton, and that I am hereby engaged till I shall be exchanged, or otherwise released therefrom, to proceed immediately to my plantation on Dunnam's Creek, Cumberland county (or elsewhere) No Carolina, there to remain; or within five miles thereof—and that I shall not in the mean time, do, or cause any thing to be done, prejudicial to the success of his Majesty's arms; nor have any intercourse or hold correspondence with the enemies of his Majesty—and that upon a summons from his Excellency, or other Person having authority thereto, that I will surrender myself up to him or them, at such time and place as shall hereafter be required.

Cumberland County, PHILIP ALSTINE
Deep River; July 29th, 1781. Col'n.

Witness; DAVID FANNING, *Col'o Com'g Loyal Militia*

In the course of this affair, we had two men killed, and four wounded, who afterwards recovered. A party of Rebels appeared in sight a little time after the firing began; but they did not approach to afford Col. Altstone any support. When the action was over, they ran off: and our horses being quite fatigued, rendered it impossible for me, to persue them. I then persued my route to Cox's Mill, where on my arrival I gave twelve hours leave to the men; after detaching a sufficient number for the necessary guards, to go to their respective homes. Immediately after that, I heard that a wagon loaded with salt for the use of the rebel army had passed about 12 hours. I took eight men with me, and after a chace of 16 miles I overtook her, and conducted it back to Coxe's Mill. On my return I found that Major Rains, had been attacked by a party of 150 rebels; who had attempted to secure the fort of Deep River, at Coxe's Mill; however it was without success. He had one man wounded, and several horses, in the attack. On my approach, they retreated. They then sent a flag with offers of peace. I returned for answer, "I was determined to make peace with the sword—or otherwise till they should become subjects of Great Britain." My men now being collected to the amount of 140, who by this time were well armed, and hearing nothing further from them, the next morning, we marched to the place, where I had been informed they were; but found them gone off. I discovered some of their scouts, but on firing on them, they took to the woods. I heard, that they had marched and joined another party of 250 men, commanded by Colonels Paisley and Balfour. Upon which I returned to Coxe's Mill; I sent out spies that night, who returned before morning and informed me that the two rebel parties had joined, being about 400 in number and encamped at Brown's plantation, about two miles up the River on the opposite side. I

dispatched a flag to them, acquainting them, as before, of my determination, in support of Government, and proposed a meeting of both parties to determine the matter by force of arms; at the same time acquainting them, that the ill treatment of some prisoners they had taken a little time before, had determined me to retaliate in case, an end was not put to it; I directed the flag to Major Cage, who commanded at the time before, and I received the following answer.

"Sir, I received yours by a flag, and can assure you that I should be as sorry as any person living to misuse a prisoner; but at the same time, I think it is my duty to oppose my enemies, and if any of your men should fall into my hands I shall endeavour to use what influence I can to have them treated as prisoners; and I hope you will do the same. I must also inform you, that I am not the commanding officer; if I was, I should immediately return you, an answer; As your letter was not directed to the commanding officer, he will not undertake it. You will direct to him, Col. O'neal is Commander at present.

I am, Yours, &c. &c Wm. Cage.

Aug. 2*d*, 1781:

To Col. David Fanning.

I also received a message from Col. O'neal that whenever they met, they would fight me, but not by an immediate appointment; I directly ordered a march and proceeded to the place where I was informed by the Bearer of the flag they lay encamped; but on my arrival there, they had marched off; and from intelligence I had procured, I had reason to suppose they was gone to Salesbury to get reinforced, by General Rutherford. I then concluded, to go, to Wilmington for a supply of ammunition; finding my stock began to grow low. I got to Cross Creek on the

11th of August ; and early in the morning following crossed the Cape Fear River, when Maj. Samuel Andrews joined me with his company and scouted through all the rebel settlements, on the north side of the River ; and took a number of prisoners, arms and horses I also discovered where 25 barrels of Salt was concealed ; designed for the rebel army. I distroyed it ; and then marched down the side ; and came to a plantation belonging to a Capt. Robertson—which I burned ; From thence I marched to his brother's Col. Robertson, which served in the same manner. On my march, I took several prisoners, whom I parolled , except 20 ; those I delivered to Capt. Legett,[14] then commanding at Wilmington ; where I arrived on the 24th. Having got supplied with ammunition, I proceeded up the country on the 26th.—On my arrival at Elizabethtown, I found Col. Slingsbee, of the Loyal Militia of Bladen county, with a number of paroled rebels, in his camp. I disapproved of keeping them, there, and told him I thought it imprudent, and unsafe. The event proved so ; for that night, they, having arms concealed, fired upon his camp, and wounded him mortally. Five Captains also were wounded, some of whom died afterwards of their wounds. The day following I arrived at McFalls mills about 60 miles, where I dispatched 90 of my men back, to render assistance, on receiving the unfortunate accounts of Col. Slingsbee's misfortune ; but it was too late ; as the rebels had taken to the woods and got off.

I had information of the rebel, Col'n Wade with 450 militia, was, then, on his march to attack Col. McNeal, who had assembled 70 of the loyal militia of Bladen, and then lay on the side of Drowning Creek. I instantly dispatched, an express, to know his situation, and offering assistance ; in three hours, I received for answer, he would be glad to see me, and my party. I marched directly, and by

day light, arrived with 155 men. Our pickets was fired upon ; and retreated into camp, having exchanged several shots with those of the Rebels. We had information they were crossing a bridge on Drowning Creek, about three miles off, when the pickets fired on them ; and that there was 420 men crossed that bridge. I immediately ordered all my men to arms, and counted them ; which in number was 225, horse and foot; I then marched immediately to attack them ; when I formed my little party I left great vacancies in order to appear as numerous as possible, and to prevent their turning my flanks. We attacked them at 11 o'clock ; and engaged them an hour and a half; on my ordering a charge ; they retreated. We persued them 7 miles and took 54 prisoners ; 4 of which died that night. On our return we found 19 dead ; and the next day, several came in and surrendered, all of whom were wounded, and we had reason to suppose that several died in the swamps, by accounts, we received from those who came in afterwards. Our loss was only 5 men wounded; one of which died ; and 5 Horses killed; besides a few wounded. We took 250 horses ; most of which were loaded with effects they had plundered from the friends of Government ; and as I had formerly ordered that whoever found concealed goods, of any kind should keep them ; I also now ordered that every man should keep that he had taken that day, after mounting and equipping those 50 ; who were not mounted in the action. I then parolled the prisoners, except 30, which I sent to Wilmington, under a guard of Col. McNeal's men. Then, with my party, I marched that evening to Little River, 16 miles from mcFalls mill ; where the party returned, which had gone to Col'n Slingsby's assistance. The day following, I arrived at Coxe's Mill, where I issued the following advertisement ; and circulated it through the country—

" ADVERTISEMENT.

This is to let all persons know, that do not make ready and repair immediately to camp, that their property shall be seized, and sold at public sale; and if they are taken, and brought into camp they shall be sent to Wilmington, as prisoners, and there, remain, as such, in the provost; and be considered as Rebels; also, if any rebel is willing to surrender and come in he shall reap the benefit of a subject.

DAVID FANNING
Camp Coxe's mill } *Col'o Com'g loyal Militia*
6th Sep 1781 }

On the 9th of Sept. I was joined by Col'n McDugald of the Loyal Militia of Cumberland County, with 200 men; and Col. Hector McNiel,[15] with his party from Bladen of 70 men; and in consequence of my advertisement I had also 435, who came in; and many found me afterwards.

I had previously determined within myself to take the Rebel, Governor Burke of North Carolina and I had a conversation with Maj. Craigg, on the subject. I now thought it, a favourable opportunity, as I found myself at the head of 950 men of my own Regiment: exclusive of McDugald and McNiel's regiments. I acquainted Major Raines, of my resolution, who approved of it. The rebel General John Butler, and Col. Robert Maybin of the Continental line, lay within 40 miles of our encampment, on the Cape Fear River. It was supposed by my officers, that I intended to attack them. After marching 16 miles to Rocky River, I went a little distance, out of my road, to a friends house, for intelligence, of the situation of the Rebels; during which time, the guide led my little army about two miles out of the way, towards General Butler. On my return, I was under the necessity of making my intentions known; and immediately directed my march to Hillsboro;

I pushed all that day and the following night; At 7 o'clock on the morning of the 12th we entered the town in three divisions, and received several shots from different houses;—however, we lost none and suffered no damage, except one man wounded. We killed, fifteen, of the Rebels, and wounded twenty; and took upwards of two hundred prisoners; amongst them was the Governor, his Council, and part of the Continental Colonels, several captains and subalterns, and seventy one continental soldiers out of a church. We proceeded to the Goal, and released thirty Loyalists, and British soldiers; one of which, was to have been hanged on that day. About 12 o'clock, I left Hillsboro; and proceeded Eighteen miles that night towards Coxe's Mill; in the morning I persued my march about Eight miles further, to Lindsey's Mill on Cane Creek; where Gen'l Butler and a party of rebels had concealed themselves. Col'n McNeal, who had the advanced guard, had neglected to take the necessary precautions for our safety, and by information of Capt. McLain Cumberland county, Little River; and as soon as I had discovered the situation, we were in, and having so great a number of prisoners, I left my station, and pushed for the advanced guard; on my coming up with Col'n McNeal, I inquired the reason of his neglect; and before he could answer, we were fired upon by the rebels. They killed Eight men, among them was Col'n McNeal, who received three balls through him, and five through his horse. I then ordered a retreat back to where I left the prisoners, and after securing them, I made the necessary preparations to attack the enemy; and after engaging them four hours they retreated. I lost twenty seven men killed, and sixty, so badly wounded, that they could not be moved; besides thirty slightly, but so, that they could keep up with our main body. At the conclusion of this action, I received a shot in my left arm,

which broke the bone in several pieces; my loss of blood was so great, that I was taken off my horse, and led to a secret place in the woods. I then sent Lieut. Woleston, to my little army, for Col'n Arch McDugald, and Major John Rains and Lt Col'n Arch McKay, to take command; & to send to Wilmington for assistance, as I was not able to take any command. I also desired that Major Rains should return as soon as he could leave Col. McDugald; as I thought he might be the means of saving me from the hand of my enemies. These gentlemen conducted themselves in such a manner, I think they deserve the applause of every loyal subject, both for their valour and good conduct, as Col'n Maybin and Gen'l Butler persued them all the way until they met Major Craigg coming to their assistance. They made their march good for 160 miles and never lost one prisoner, but introduced Thos. Burk, their Governor, and his regiment of rebels, to Major Craigg: who very well accepted them: and Major Craigg introduced his Excellency, and Regiment, to the Provost Master. I am informed by letters from Col. Arch McDugal, dated 6th Aug. 1789 that no provision has been made for him yet Also, Major Rains, the 2d of Oct'r 1789. But I am in hopes when the Government comes to be informed, of the many services that they have done, they will consider them, and make some allowance for them. I am personally acquainted with their services. Major John Rains, was the first man, that took up arms within North Carolina; and the last man with me, and took an active part in command in six and thirty skirmishes in N. C. (also Capt. George Rains.)

At the departure of my little army, I was left with three men; and in four days 17 more came to my assistance. I made enquiry respecting the loss of the Rebels, in the late action; and found that the inhabitants had buried 24, and

that the wounded they had left were 90, besides those that went off and that my party had taken 10 prisoners. Of the number of the killed was Col'o Guttrell, and Major Knowles, who were inveterate enemies to the Loyalists.

The party we had engaged I found to have consisted of four hundred Continentals under the command of Col'o Maybin and Gen'l Butler. In twenty four days, I found myself able to set up, and then dispatched, four of my Captains Hooker, Rains, Knight, and Lindly, to Wilmington for a supply of ammunition; and before their return, I had sent out, and embodied 140 men, during which time I heard of a quantity of leather, which was prepared for the use of the rebel army, and was ordered for Gen'l Green's quarters at Camden. I went to the place, and finding the leather agreeable to my information, I took enough thereof to equip the company completely, and ordered the rest to be destroyed. On my return to Brush Creek, near where I had been secreted during my illness, occasioned by my wounds, I sent out spies for discovery. Two of them returned, in less than an hour, with information of six hundred rebels, who were advancing for to attack me. But they proved no more than 170. Their accounts disheartened a number of my men. From my being in so weak a state, they apprehended I would not be able, to command them. However they lifted me, on my horse, and I formed my men there in two ranks and showed two fronts, as they appeared both in my front and rear; the fire continued for near an hour. I lost three men killed, and three badly wounded. The rebels had one killed, and several wounded. Then they retreated; and rallied and attacked again, after retreating, about a mile, which was so unexpected, that I concluded they had been reinforced. I then retreated; but without loss, except my baggage. I, then, separated my men into small parties, until the arrival of the four officers, I had

dispatched for ammunition, to Wilmington, who brought the following letter from Maj'r Craigg, with 5000 catridges ;

Wilmington 13*th Oct* 1781

" Dear Sir :

Your letter gave me infinite satisfaction from the favourable accounts, it contained of your health, and the probability of your soon being restored to that service, in which you have done so much to your honour. I beg you to accept for myself, and convey to those of your officers whom I have not yet seen, my warmest thanks for their gallantry and good behaviour. I enclose you the commission you desired for Major Rains, who I am persuaded will endeavour to answer your warm recommendations. I have been unfortunate enough to lose, the list of medicines you sent for ; however I desired, the Surgeon, to send you such as he thinks, most likely to be serviceable to you ; though from his not being acquainted with your case, is all by guess—I am much concerned to find the probabilities of so many of your people suffering from want of attendance or necessaries. Nothing shall be wanting in my power, either in that respect or that of salt for their relief. I am not at liberty to explain myself in a letter, but I hope I shall very soon have it in my power to assist you with greater care than at present. The moment I returned here, I was informed of the circumstances of the stallion you mention. I determined it in your favour, and took him away from Mr. Campbell, or rather from a gentleman whom he had sold him to. He has been with my horses ever since, and never rode. I now send him to you by Capt. Liveley.

The long northerly winds, has prevented any arrivals from Charleston, so that we are totally without news.

I wish I had got Mr. Burke's papers.—
I am with much regard,
Your most ob't faithful servant
J. H. Craigg

The following is a copy of the letter I received of Colonel Edmond Fanning[16] of the King's Americans[17]

The names of the Officers of Cumberland county who acted under Colo. McDugald, as they was commissioned in their different companies; who were with me, at the taking of Hillsboro:

Archibald McDugald, Colo.
Archibald McKay; Lieut. Colo.

The names of the Officers of Bladen county who acted under Lt. Colo. Hector, McNeal.

Hector McNeal; Lt. Colo.
John Watson; Major:

The names of the Gentlemen Officers who came as Volunteers from Wilmington, for recreation, and to explore the country, and was at the taking of Hillsborough with me:

Alexander McCraw, Capt. of Govr. Martin's Regt.
Daniel McDonald, Lieut. do. do.
Malcom McKay, Ensign do. do.
John McKenzie, Capt.
Hector McNeal.
Charles Campbell.
James Dawson.

Sometime after the receipt of the foregoing letter I intercepted an express bound for Gen. Greene's Camp, which was at that time near the lines not far from Charleston; amongst which was Lord Cornwallis's capitulation, which

I have since lost. We continued in small parties until Major Craigg evacuated Wilmington, when one day I took a man with me to go for intelligence and to provide oats for the party I kept with me. When at a house I spied a party of thirty rebels, coming towards said house; where I was. We instantly mounted, and rode off. On my return to my men, I ordered, sixteen of them, to mount; and went back to the house we had left, but found them gone off. I persued them about sixteen miles; when we came up, with them. We killed three of them and wounded two; who I took prisoners. I had no loss or accident on our part.

I had now certain intelligence of Maj. Craigg's evacuating Wilmington: and that the rebels in consequence of it, had separated into small parties, and returning home; and for the space of fourteen or fifteen days, I fell in with, and took more or less of them every day. During which time I had information, of a Capt. Kennedy and his party, who had taken a number of horses and a quantity of household furniture. I followed him about five miles, and after a smart firing, took him and eight of his party, with the booty they had plundered. He gave intelligence that a Capt. Lopp with a party of sixty men, who had been discharged by Genl. Rutherford were on their way up the country. The said Capt. Kennedy (Cannady) all the time of our attacking Lopp stood and looked on; and as he declared that he would not make his escape, neither would he let any of his men interfere, if we drove off Capt. Lopp. I left him in a house with only two men, to guard Eleven, and found them all there. The guard informed me that he would not let any of his party make their escape. He proved so much to his honour, that I gave him up one of his horses, saddle, and bridle; and paroled him with all his men. I had at this time but thirteen men, with me at a

House near the road where they were to pass. I mounted my men, and placed them in concealment along the road. On their coming up, I ordered them to fire, and then for to charge; which we did, three times, through them; they immediately dispersed through the woods; it being nearly dark, we could not tell what injury they suffered.

On the 10th of Dec'r Colo. Isaacs came down from the mountains, with a party of Three Hundred men; and formed his camp at Coxe's Mill, in the settlement I had formerly ranged in; in order to take me: where he continued nearly three months, during which time the following proclamation was issued.

"State of North Carolina

By the Hon. Alexander Martin, Esqr Speaker of the Senate, Captain General, Governor and Commander in Chief in and over the said State.

Whereas divers of citizens of this State, have been deluded by the wicked artificies of our enemies & have revolted and withdrawn themselves from the faith and allegiance, which before God, they plighted to owe their country, and treacherously have taken up arms against the same; being convinced that they have been betrayed by false hopes, supported by deceit, and now find themselves deserted by our feeble and despairing enemy, and left unprotected to the vengeance of the State, to inflict those punishments due to their crimes: and in tender compassion to the feelings of humanity to spare such who are willing to return, and to stay the hand of execution, in the unnecessary effusion of the blood of citizens who may be reclaimed, I have thought fit to issue this my proclamation of pardon to such of the above persons, who may surrender themselves before the 10th day of march next, on this express condition, that they immediately enlist in the Continental battalions; and

render a personal service for twelve months after the time of their rendezvous at head-quarters, and having faithfully performed the same for the said term, it shall be deemed as having expiated their offences and be entitled to, and be restored to the priviledges of citizens. All Officers finding men of this class, guilty of murder, robbery, and house breaking, to be precluded, from the above, notwithstanding; and I do hereby require the Honourable the Judges of the Superior Courts of law, of oyer and terminer, and general jail delivery, and all officers, civil, and military, within the State to take notice of this my proclamation; and govern themselves accordingly. Given under my hand and seal of arms at Halifax this 25th of December 1781, and in the sixth year of our Independence.

ALEXANDER MARTIN

By his Excellency's command

JOHN HAWKINS, Dy. Sec'y

"God Save the State."

During Col'o Isaacs's stay at Coxe's Mill, he ravaged the whole settlement, and burnt and distroyed a number of houses belonging to the friends of the Government.— They frequently applied to me privately for advice. I recommended it to them if possible, to remain, neutral; and make their peace; as it was entirely out of my power for to protect or relieve them. A Capt. Stinson of this party took one of my men, named, David Jackson,[18] and hung him up without ceremony. A few days before Colo. Isaac's departure from Coxe's Mills, he sent out notice for the friends of the government to meet him, and he would give them protection agreeable to proclamation; But on their assembling, he made them prisoners of war; and marched them under a strong guard to Salisbury Goal. Not many

days after they broke out, and knocking down the Sentinel, made their escape; except one, who was shot in the attempt.

Two Captains in each county were appointed by Colo. Isaacs, on his leaving Coxe's Mill, to keep the friends of Government down; and were going with their own men, continually through the country.

During all this time I was in the woods and kept moving with a small party as occasion required. One evening, I had assembled thirty men, at a friends house, and sent out spies; They soon returned with account of a party of rebels within four miles of us, distressing and plundering our friends. We immediately set forward to render our assistance, and got within a half a mile of them; I, then, sent out to get information how they were situated, and by break of day came upon them. We retook seven horses which they had carried off, with a large quantity of baggage. We wounded two of them mortally, and several slightly; we came off without injury, except two horses wounded. The day following, we pursued them, to Cumberland county, and on my way, I burnt Capt. Coxe's house, and his Father's. I had also two skirmishes and killed two of the rebel party. On my return to Little River, I heard of a Capt. Golson; who had been disstressing the Loyalists; and went in search of him, myself; but unfortunately I did not meet him; but fell in, with one of his men, who had been very assiduous, in assisting the rebels. I killed him. I mounted a man of my own on his horse, and returned back. I then took Capt. Currie and the man of my own before mentioned, and went with a design of burning Capt. Golson's house; which I did; and also two others. In my way, I fell in, with a man, who had been very anxious for to have some of my men executed. I sent him word for to moderate and he should have nothing to

fear, but if he persisted, I would certainly kill him. He took no notice of this; but persisted, for several months, and on observing me that day, he attempted to escape; but I shot him.

Two days, after, Capt. Walker, joined me which made four of us, and hearing that one Thompson, a Rebel and Magistrate, had taken up a horse belonging to me, I went to claim him: He gave him up without hesitation, and upon examining what arms he had, he owned to one rifle, which I took from him; He also informed me, that the rebels were willing to make peace with me on my own terms, and would allow me any limited bounds I would require provided I would not be troublesome to them. I therefore concluded after consulting Capt. Walker and Currie, to demand the following terms, which I forwarded by a prisoner, I had taken; and in order to convince them that my intentions were sincere, I released him, for that purpose, though he had been the means of murdering several.

Terms required by Colo. David Fanning from Govr. Burke, forwarded to him by Lawyer Williams, and Capt. Ramsay, of 1st battalion of North Carolina Continentals.

1. That every friend of the government shall be allowed to their respective homes unmolested.

2d. That they shall be under no restrictions of doing, or causing to be done any thing prejudicial to his Majestys service.

3d. That they shall not be under any obligation to act in any public station, or ever to take up arms, or be compelled to do any thing injurious to his Majesty's good government.

4. That shall not pay or caused to be paid, any taxes or money so levied by new laws during the Continuance of the present war, to support new army by their industry. If

these terms are granted, I request that they may be immediately conveyed to me, at my quarters by a flag of truce, appointed for that purpose, and by such Officers, as I can rely upon, from your hands and seals.

If these terms are not granted you may depend my sword being continually unsheathed; as I am determined, I will not leave one of your old Offenders alive, that has injured his Majesty's Government, and friends, who would have been of service to your country in a future day and I do hereby recommend it to you to govern yourselves accordingly.

Jan'y 7th 1782 — David Fanning *Col'o*

To Mr James Williams and Capt Wm. Ramsay, — Joseph Currie, Stephen Walker } *Capt's*

to be forwarded by them to the Commander in Chief for the time being on the Hillsboro' district.

I received the following answer from Lawyer Williams

Chatham *Jan'y 8th* 1782

Sir

I received yours by Mr. Riggin at the Court House, on Sunday last, and immediately wrote to Gen'l Butler on the subject of your surrender. His answer is, that he cannot receive you himself but will directly write to the Governor. As soon as he receives, his answer, he will transmit it, to Maj. Griffith, who will send it to Winsor Pearce's on Deep River. If I obtain liberty, I will bring it myself. In the mean time I would recommend a moderate conduct as the best step to bring matters to an accommodation. The bearer, Mr. Riggin, has executed the trust you reposed in him. I therefore, hope, you will restore to him his property. For your civility to me, when I was a prisoner, I will do any thing I can in honour. Concerning your surrender. Col'o Ray and Col'o McDugald, have surrendered and gone

to Charlestown. I am informed by Col'o Thackston, I am exchanged with a number of other prisoners, at Charlestown under a Cartel which is renewed. You may depend as soon as I get the Governor's answer, you shall know it. I am, Sir, Your most ob't servt.

Col'o David Fanning — James Williams

I also received another letter from Cap't Ramsay by another conveyance

Jan 8th 1782

Sir

I saw a letter to Mr. Williams and observed what you say concerning my case. As to breaking my parole, that I am clear of; as Major Craigg a few days before he left Wilmington sent a party of dragoons to where we were paroled at the Sound and ordered us under the main Guard; whence I made my escape: which I am certain you will not blame me for; as you are well acquainted with my honour; when I was taken prisoner, I had it in my power to escape many a time; but as long as I was treated like a gentleman, or agreeably to the rules of war, I would rather suffer death, than forfeit my honour. I observe what you say, concerning your parole; but the kind treatment I received at your hands, you may rely on it, any thing, Mr. Williams, or myself can do for you, in honour, shall not be wanting. Your letter I understood is transmitted to the Governor, who I make no doubt will comply with your request. For my part I wish for nothing else but peace.

I am Sir your humble servant

Matthew Ramsey

I lay neutral, until I got further accounts and on the 15th Jan 1782; Messrs. Williams, Clark, and Burns, were kind enough to wait on me at Mr. Winsor Pearce's in respect to

my former proposals which I had requested of them, with the letter as follows.

15th Jan 1782.

Sir

Agreeable to your request I have received order to offer you a parole on the terms you desired, ; thirty miles east and west ; fifteen miles north and south. Hammond Coxe's mill to be the center of your bounds ; should you be inclined to go to Charlestown at a future day, let me know it, and I will endeavour to get you that liberty, when I see the Governor.

You mentioned being way laid , you may be assured that I know nothing of it. Mr. Williams Mr. Clark and John Burns, are the gentlemen that are kind enough to wait upon you with this Flag, and a blank parole for you to sign ; and they will give you a certificate for your security against any of the American troops to remain as prisoners of war, in the bounds specified. You may rely on it, nothing dishonourable shall be done on my part ; and I have the greatest reason to believe that you will act on the same principles. No inhabitants of this county shall be molested either, in person or property, who have not been guilty of wilful murder, or plundering; it is the duty of every honest man to bring all such to justice in order to restore harmony and peace once more to our country.

I am your obedient humble servant

Matthew Ramsay

To Col. David Fanning

per flag.

Also the following letter was left at Mr. Pearce's by the three gentlemen before mentioned.

Tuesday morning

Sir

Agreeable to Capt. Ramsay's letter left for you, we came up to Mr. Pearce's, when we made no doubt of seeing you. I have seen his instructions to parole you, and you may depend no trap is meant for you, to any of our knowledge Ray and McDugald were received in the same manner, and no man offered to molest them. Our orders were to have returned last night, and the light Horse under the command of Capt. Ramsay kept back, until our return; Therefore we cannot possibly stay any longer. If you encline to accept the terms offered, which Capt. Ramsay cannot alter, you will meet us at Baalam Thompson's with as many of your men as you please; as can be received according to the terms you propose: and are your obt. servts.

James Williams.
Col'o David Fanning — A. Clark.
Jno. Burns.

In the course of this correspondence, endeavouring to make peace, I had reason to believe they did not intend to be as good as their words; as three of their people followed Capt. Linley; and cut him to pieces with their swords. I was immediately informed of it, and kept a look out for them. Five days after their return, I took two them and hung them, by way of retaliation, both on the limb of the same tree; the third made his escape. After this Coln. Alston, who was a prisoner of war, at this time, came to me, at Genl. Butler's request, to know if I was willing to come to any terms. I asked, the reason, why the Governor had not answered my letter, and what was the cause of their behaviour to Capt. Linly: I, then, with a number of my Officers, set down, and wrote the following letter to General Butler.

"Sir, On friday the 7th of Jany. last I wrote to Mr. Williams, the terms I was willing to come under; he wrote for answer that he could not comply with my terms, until he had the approbation of the Governor. On Wednesday the 11th inst. a flag was to meet me at Winsor Pearce's; with a letter. But on its approach, it was waylaid by Capt. Golston with a party of men which had more the appearance of treachery than a wish for peace. Had not the gentleman (Mr. Balaam Thompson) acted as honourable, for the minute he arrived he let me know it, and declared himself innocent. This gave me reason to think he would act with honour; still on the 15th inst, Messrs Williams, Clark, and Burns; the three gentlemen that were kind enough to wait upon me, with a blank parole, and letter from Capt. Ramsay—who mentioned in his letter that my request was granted by the Governor; in the mean time, the gentlemen waiting on me at the place appointed, there came around a company from the Hawfield's, commanded by Capt. Scorely, which plainly and evidently appeared to me, there was nothing but treachery meant. On Sunday the 10th of feby I fell in the rear of Capt. Colestons and Capt. Hinds, and following their trail, came on them at dark. After some firing that night I rode off, and came on them next morning, and we came on terms of peace, till I could write to their superior officer, for which I consulted my officers, and we joined hand and heart to comply with the terms hereunder written.

"We the Subscribers do acknowledge ourselves Subjects to his Britanic Majesty, as you are well assured of our fidelity, zeal, and loyalty, to his Majesty's government. As it has been daily the case that we have been distroying, one anothers property to support and uphold our opinions, and we are hereby willing to come to a session of arms, not

under six months, nor exceeding twelve; conditions underwritten.

1. Our request is from Cumberland twenty miles N. & S; and thirty miles E. & W: to be totally clear of your light Horse.

2d. request is for every man that has been in actual arms, in a permanent manner, in order to establish a British government, (except those who have diserted from a regular troop that has voluntarily listed themselves,) then we do obligate to deliver up each and every man shall have a right to withdraw themselves in said district.

3d. If any of our men should go out of said district to plunder, or distress, or murder any of the American party, we will, by information made to me, Maj'r Rains, or any of the Captains return their names; if the request is granted, they shall immediately be apprehended and sent by any officer appointed by you to be tried by your own laws.

4th. If any of your party shall be catched plundering, stealing or murdering, or going private paths, with arms signifying as if they were for mischief, these are to be left to our pleasure to deal with as circumstances agreeable to our laws. All public roads to be travelled by any person, or copany unmolested, if he behave himself as becomes an honest man, or any Army or company or wagons keeping the public roads.

5. Every person that has been in actual arms in manner aforesaid, in order to support or establish a British Government, shall not be interupted of their arms, provision, person or property. If any one residing within the said district, who are subjects to the States should want provisions, or any other article from, by sending to either of the officers that I shall appoint for that purpose, or use we will send a sufficient guard to see, them safe and out unmolested. Quakers excepted from anything whatever.

6. That I will not, in the mean time disturb or distress any person, or persons abiding by your laws in said district. All back plundering shall be void; as it is impossible to replace or restore all the plunder on either side.

7. Our request is to have free trade with any port with waggons, or horseback without arms; with a pass from any appointed Officer for salt or any other necessaries and use. Except the two Coxe's mills to be free from any incumbrance of all parties belonging to the Americans.

8th. Any of my men that has been returned a Continental without taking the bounty, that has been in actual service as above mentioned shall return in said district.

9th. If our request is granted as above written I request it may be sent to me by 8th of March; as I may forward to my further determinations; if I cannot have any request granted. I shall exact and point out every deplausible measures in order to suppress every person in arms against his Britanic majesty. I am your most obedient humble serv't. Given under my hand and [illegible] arm as aforesaid

DAVID FANNING *Col. Com. Loyal Mi*
JOHN RAINS, *Maj'r*
WILLIAM RAINS, *Cap't*
JOHN CAYLE, "
WM. PRICE, "
ABNER SMALLY "
JACOB MAURICE *Lieut*

To Gohn Butler, Gen'l of Hillsboro District.
Pr favour of Col Philip Alston

Copy of letter of Gen'l Butler.

MOUNT PLEASANT *5th March* 1782

DEAR SIR

Your letter of 26th of last month was handed to me last night. I have observed the contents. Had you pro-

posed that you and the men now in actual service with you would have taken a parole to some certain bounds, until you could have been sent to Charleston, to be exchanged, I should have entered into that business. But your propositions are many, and some of them uncustomary in like cases. I conceive it out of my power—However as his Excellency Governor Burke is now at Halifax I will send him your letter with the proposals to him by express. This is now the 5th day of March ; of course, it must be several days after the 8th before his answer can come to hand ; in the mean time it may be as well to postpone the desperate measures, you have in contemplation.

I am your obed servt.

JOHN BUTLER. *B. G. for Hillsb'o district*

P. S. If you would not choose to be confined in bounds any length of time, it might be contrived so that you might be sent off immediately under an Escort of my appointing to General Greene. He has promised to have all such exchanged which I send to his quarters.

JOHN BUTLER B. G.

About the 7th March 1782 Capt. Walker and Currie, of the Loyal Militia fell in, with a party of Rebels, and came to an engagement, and fired for some time, 'till the rebels had fired all their ammunition ; and then, wished to come to terms of peace between each party ; and no plundering, killing or murdering should be committed by either party or side ; which was concluded upon by each Colonel, for such certain limited bounds ; which was to be agreed upon by each Colo ; and if they could not agree, each party was to be neutral until matters was made known, respecting the terms which they had to agree upon. Soon after my men came to me and informed what they had done ; we

received the rebel Col. Balfour's answer ; that "there was no resting place for a tory's foot upon the Earth." He also immediately sent out his party, and on the 10th, I saw the same company coming to a certain house where we were fiddling and dancing. We immediately prepared ourselves in readiness to receive them, their number being 27 and our number only seven ; We immediately mounted our horses, and went some little distance from the house, and commenced a fire, for some considerable time ; night coming on they retreated, and left the ground. Some time before, while, we were treating with each other, I had ordered and collected twenty-five men to have a certain dress made which was linnen frocks, died black, with red cuffs, red elbows, and red shoulder capé also, and belted with scarlet, which was a total disguise to the rebels, which the red was all fringed with white fringe, and on the 12th of March, my men being all properly equipped, assembled together, in order, to give them a small scourge, which we set out for. On Balfour's plantation, when we came upon him, he endeavored to make his escape ; but we soon prevented him, fired at him, and wounded him. The first ball he received was through one of his arms, and ranged through his body ; the other through his neck ; which put an end to his commiting any more ill deeds.

We also wounded another of his men. We then proceeded to their Colonel's (Collier,) belonging to said county of Randolph ; on our way we burnt several rebel houses, and catched several prisoners ; the night coming on and the distance to said Collier's, was so far, that it was late before we got there. He made his escape, having received three balls through his shirt. But I took care to distroy the whole of his plantation. I then persued our route, and came, to one Capt. John Bryan's ; another rebel officer. I told him if he would come out of the house, I would give

him parole; which he refused, saying that he had taken parole from Lord Cornwallis, swearing "by God! he had broken that and that he would also break our Tory parole. With that I immediately ordered the house to be set on fire, which was instantly done. As soon as he saw the flames of the fire, encreasing, he called out to me, and desired me to spare his house, for his wife's and children's sake, and he would walk out with his arms in his hands. I immediately answered him, that if he walked out, that his house should be saved, for his wife and children. When he came out, he said "Here, damn, you, here I am." With that he received two balls through his body: He came out with his gun cocked, and sword at the same time.

The next day following being the 13th march, was their election day to appoint Assembly men, and was to meet at Randolph Court House. I proceeded on in order to see the gentlemen representatives; On their getting intelligence of my coming they immediately scattered; I prevented their doing any thing that day.

From thence I proceeded on, to one Major Dugin's house, or plantation, and I distroyed all his property; and all the rebel officers property in the settlement for the distance of forty miles.

On our way I catched a commissary from Salisbury who had some of my men prisoners and almost perished them, and wanted to hang some of them. I carried him immediately to a certain tree, where they had hung one of my men by the name of Jackson, and delivered him up to some of my men, who he had treated ill when prisoners; and they immediately hung him. After hanging 15 minutes they cut him down. In the mean time there was about 300 rebels who had embodied themselves and came after us; On account of the rainy weather our guns would not fire on either side. We were obliged to retreat, on account of

their numbers being so much superior. We had received no damage. About the 8th of Apl, a certain Capt Williams came into the settlement, and sent an old woman to me, to inform me, that he had arrived from Govr. Burke that instant; and had come in order to see me; which by her description, I and my little party, immediately met him, and he informed me, that he had come to know if I was willing to come upon the terms I had already presented; and requested to have from under my own hand a true copy of them; that the Governor would do every thing in his power to have the same agreed upon by his Council and Assembly; for which purpose the said Williams was sent from the Governor, He also told me, that the Governor had said, that any thing I should do, or cause to be done, from the character, he heard from the British at Charlestown, that he had not the least doubt, they would assent to;—that he wished to make peace with me;—saying if I was taken prisoner, and killed; that 100 would certainly lose their lives for it; and he looked upon it much better to come to terms of peace—that he heard in Charlestown, I was killed; which occasioned him to run away from Charlestown; Upon which I gave him a copy of the articles which I wished to comply to. With which he ordered the Light Horse to depart to their different stations, till they received orders from the Governor and Council.

As I was obliged to lay neutral until I received their answer, which was to be upon terms of honour on both sides, as the different captains commanding the light horse, wrote to me respecting the same; as appears by the following letters.

"Sir, I received a few lines this day, from Cap't Edward Williams, informing me, that you and he, had come down yesterday, and signified that, you and he, are upon terms of compromising matters, on condition, that I will

stop the County light horse from persuing you—You may rest assured, that it is my desire to be at peace with all men—Cap't Riddle and his company are at the Court House. I have ordered him to stand there, until further orders; and will send after Cap't Polston and desire him also; I shall set off this morning to the Assembly, and if it is in in my power to do, or cause anything to be done, that shall cause peace and harmony over the land, you may rest assured I will do my best; and second Cap't Williams, though he gave me no account of your proposals; and am

with respect your humble serv't

Ap'l 9th 1782 ROGER GRIFFITH *Major*

To Col'o David Fanning.

CAMP AT MCCAN *Ap* 10 1782

SIR,

I received orders from Maj Griffith concerning some terms between you and him and shall withdraw my men and Cap't Golston's as we are both together, and will not proceed any further after apprehending you or yours, unless you come into our county doing mischief, until further orders.

From your humble serv't

To Col'o David Fanning JOSEHP ROSUR

Hoping you nor yours will not interupt any of the inhabitants of Chatham until matters are further settled.

WILLIAM GOLSTON

SIR, I received your letter which gives me great satisfaction to hear that you, and some of the officers, have come upon terms of peace; which is all I could crave; but I should be glad with one of the officers in company, to meet you and have some conversation together, and be upon

honour. If we can come upon terms agreeable to both, I should immediately march my company home. I shall be at Mr. Mullins, this evening at two o'clock ; and if you can meet us and converse across the river, or any other place you will choose.

Ap'l 12th, 1782 I am, Sir, Your ob't

To THOMAS DOUGAN

Col'o David Fanning *Captain of Light Horse*

AP'L 17th 1782

SIR

I, as an officer in behalf of the State of North Carolina, have turned out, in order to suppress any persons disturbing the peace of said State; but when I arrived at Deep River, I understood that you, and Cap'ts Williams, & Dougan, were about to make a treaty of peace ; which I approved of very well ; and withdrew my troop towards home. But my great surprize, on my way, I learned that your men, were robbing the peaceful and inoffensive people of Cane Creek, and Rockey River ; which wicked conduct, and the great desire, I had, for the welfare of my Country, induced me to stay, a little longer, and endeavour to stop such robbery. I therefore wish to inform you, that I did not pretend with any view of making you any way dishonourable, but many persons not owing true allegiance to the laws of this State, are running at large ; and call you their officer. As I hope you a gentleman, and will not protect any vagabond, I will thank you, to let me know every particular of your Treaty ; what bounds you have ; and upon the honour of a gentleman, I will not interrupt any person within said bounds, that is of good character with you. I would recommend, that you order Joseph Currie, and Blair, to return the widow Dixon's pro-

perty, which they robbed her of; and I will not write to the Governor concerning it, as you want peace. He would think very little of your honour, if he heard that your men were robbing his people, after you had petitioned to him.

I am, Sir, in behalf of the State,

To Col'o David Fanning. EDWARD GUIN, *Captain*

About the 18th of April Captain Williams, came to me, again, at Fork Creek and informed me that the original articles of treaty had been laid before the Governor, and Assembly; and they were upon a conclusion of granting me the terms I wanted; but were prevented by a Colonel, who came from over the mountains and was one of the Assembly, who did every thing against it. Their objections were; the articles respecting the Continental soldiers taken up, and they could not allow any passports for any of the friends of the government to have any correspondence or connections with the British. Every other article they were willing to grant. Their Assembly continued on the business for three days: as Mr Williams informed me. My answer was that "I would forfeit my life, before I would withdraw any one of the articles, that I had presented, as I wished to hold the same connection with the British, as formerly"; I likewise told him, that I had understood, that they had picked out twenty four of their best horses, and men, from Virginia in order to persue me, and my answer to Mr. Williams was "they might do their best, and be damned" as I was fully determined to still support my integrity, and to exert myself in behalf of the King and country more severer than ever I did." With this Mr. Williams departed.

I, then set out for Chatham, when I learned that a wedding was to be that day. On my way I took one prisoner, before I came to the house. There, being but five of us,

we immediately surrounded the house in full charge. I ordered them, immediately out of the House; three of my men went into the house and drove them all out one by one; I caused them all to stand in a row to examine them, to see if I knew any of them that was bad men. I found one, by the name of William Doudy, concealed up stairs. One of my men fired at him; as he was running from one house to the other; he received the ball in his shoulder. I then having my pistols in my hand, discharged them both at his breast, with which he fell, and that night expired. I then paroled the rest, on the 25th.

I concluded within myself, that it was better for me to try and settle myself, being weary of the disagreeable mode of living I had borne with for some considerable time. For the many kindness and the civility of a gentleman who lived in the settlement of Deep River, I was induced to pay my *addresses* to his daughter, a young lady of sixteen years of age. The day of Marriage being appointed;— on making it known to my people, Cap't William Hooker, and Captain William Carr, agreed to be married with me. They both left me to make themselves, and their intended wives ready. The day before, we were to be coupled, the Rebels, before mentioned, with those good horses, attacked us (Cap't Hooker's horse being tied so fast he could not get him loose,) they caught him and murdered him on the spot. Myself and Cap't Carr, were married and kept two days merriment. The Rebels, thought they were sure of me then; however I took my wife and concealed her, in the woods with Cap't Carr's; and caused an oration to be put out, that I was gone to Charlestown; In order to be convinced, the Rebels sent a man in, as a spy, with two letters from Gen'l Leslie with instructions for me to enlist men for the service which I knew was forged, in order to betray me and from the person or Command-

ing Officer of the Rebel light horse. The following is one of which I gave Gen'l Leslie, that had his name singed to it.

Charlestown 20*th Jan.* 1782

Dear Colonel,

Altho I have not he happiness of being acquainted with you, yet I can appland you very much, for your spirited conduct and activity. The only objection I have to your conduct, is your being too strenuous with those who have been subjects to his Majesty, whom the Rebels have overcome and forced them to comply with their laws. If you would let them alone, the severity of the Rebels would cause them to return to their allegiance again. But Sir since you have made so brave a stand already, pray stand steadfast to the end, and we shall be well rewarded at the last. Try to spirit up your men, and enlist, if possible, three hundred men this spring, ready to join three hundred more; which shall be put under your command; and as many more as you can get, and you be Brigadier General of them. We shall, I hope in the month of May land 1,300 troops in North Carolina, 300 of your corps, 1600 in the whole, to act upon the defensive, until you are reinforced.

Keep good discipline among your troops, and keep out fellows, who will do nothing but plunder. They are but false dependence. and will not fight, but only corrupt good men. Every man you inlist for 12 months, shall receive ten guineas; and a full suit of clothes; as soon as we land our troops, and they appear under your command ready for action. I can assure you, tis your fame and worthy actions has, through and by Maj'r Craigg given, reached his Majesty's ears, and I expect perhaps by the next packet boat you will get a genteel present from our gracious Sovereign. So hoping that you will be in the way of your duty, I will take leave of

you, without mentioning your name, or subscribing mine, lest this might miscarry—the man who is entrusted with the care of this, dares not at present be seen in it; but a friend and send it to the man as is Sir yours

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To Col'n Fanning in No Ca

A letter from the traitor who brought these two letters from Gen'l Leslie.

Dear Sir

I would come to see you myself, but am afraid of the rebel light horse. I have a great many things to acquaint you with and a good deal of good news, but dare not write for fear of miscarriage. If you have any desire of seeing me you must come soon away, instantly. Don't let the bearer know the contents of the letters—The fewer trusted the better. In the mean time

I am your friend and serv't

Ap'l 29th 1782 Joseph Wilson

To Col'n Fanning

My answer was in Maj'r Rains' name as follows;

Sir,

I am very sorry to think that there is so many damned foolish Rebels in the world, as to think Col'o Fanning would be ever deceived by such damned infernal writings, as I have received from you. Col'o Fanning is gone to Charleston, and is not to return here 'till he comes with forces sufficient to defend this part of the country. I would have you to disband; and be gone immediately; for if I ever hear of any one of your people coming with any thing of the sort. I will

come and kill them myself. I am in behalf of his Majesty's armies

JOHN RAINS
Major of the Loyal Militia.

To Jos. Wilson.

On the 1st of May 1782 I heard of a wagon being in the road, I imagined she was going down to market, as I heard of a number of wagons which was to proceed down with liquor to the market. On the 2d I mounted and persued the wagon; which I heard of the day before; as I was about setting out for Charleston I concluded to have a frolic with my old friends, before we parted. After riding about ten miles, I overtook the said wagon, which belonged to a certain man who had been taken prisoner and paroled by the British; and had broken his parole. In the mean time, I was examining his papers I set a centinel over him. He knowing himself guilty, expected nothing but death. He took the opportunity, and sprung upon my riding mare, and went off with my saddle, holsters, pistols, and all my papers of any consequence to me. We fired two guns at him; he received two balls through his body but it did not prevent him from sitting the saddle; and make his escape. I took the other man, and caused him to take me to the man's plantation; when I took his wife, and three negro boys, and eight head of horses. I kept his wife for three days in the woods; and sent the man to see, if he would deliver up my mare, and property, containing my papers: for which he wrote me the following insolent letter.

SIR, Col'o Fanning, I hope that you do not blame me for what I did. Hoping you will have mercy on me, as I am wounded, and let my wife come to me. Your mare shall be returned to you without fail. Your mare I don't

crave, and I hope you dont covet mine. I beg that you will have pity on my wife and children. The negroes and horses I am willing you shall keep until you get your mare I have sent to a Doctor. But the mare will be back to night. No more, but you may depend on my word

ANDREW HUNTER.

I also received the following letter from Edw'd Williams, on the subject of the Mare.

SIR, These few lines comes, to let you know that I have this day seen Mr. Hunter; he is badly wounded and desires you would let his wife come to him immediately: As to the rest of his property, you are welcome to keep, until such time's you get your mare returned, which will be as soon as possible, as she has gone at this time after the Doctor. But she shall be returned to you, with all speed, as soon as she returns. Mr. Hunter also is very ill.

I am your ob't humble servant

Col'o David Fanning EDWARD WILLIAMS

On the 7th of May, finding I could see no opportunity of getting my mare, notwithstanding she was one of my principal creatures, and a mare I set great store by, and gave One Hundred and ten guineas for her. I was obliged to let loose all his horses, except one, as they was of no account to me, in the situation I was in; the negroes I kept; I then proceeded to a Major Garner's truce land in Pedee in South Carolina, where I had made a truce with the Rebels, some time before; and I continued there until June, when I left my wife, horses, and negroes; as I was entirely a stranger to the situation of the country and roads, I was obliged to procure a pilot to proceed to Charlestown; I could not get one for less than 20 guineas. After my departure I fell in with the rebel dragoons commanded

by Colo. Ballie, from Virginia. I was with them for abont an hour; and informed them that we were some of the rebel party then on our way to General Marion's head quarters. They never discovered otherwise; it being in the dusk of the evening. We fell into the rear, and went into the woods and struck our camp, and promised them we would see them next morning. However we proceeded on that night, and arrived at Herald's point on the 17th of June, and I immediately procured a passage to Charlestown, when I immediately applied for a flag; to send after Mrs. Fanning and property. The flag had left Charlestown two days, when she came in, as Maj. Gainey, had applied to General Marion, for a pass for her, to proceed to Charlestown; He would not let her have any of our property, not even a negro to wait on her.

Soon after the Loyalists, that had got to Charlestown from different parts of the world hearing that the Southern Colonies were to be evacuated by the British forces, called a meeting to point out some measures to try to hold some foothold in the country, until we had got some part payment for our property which we were obliged to leave if we ever left the country. Hand bills were printed and stuck up throughout the town for the Loyalists to choose their representatives to represent our situation and the desire we had to support ourselves and property. It was proposed that 25 Gentlemen should be choosen a committee for that purpose. The day was appointed to take the vote. I was choosen amongst others; and drew up a petition and sent to Sir Guy Carleton Commander in Chief;[21] praying the liberty of keeping the town and artillery, as they then stood on the works; and despatched two gentlemen off with our petition: Our request was not granted. I have here-

unto set forth the names of the gentlemen representatives ;

Col'o Ballingall,[22]	Jas Johnston Esq,
Robert Williams Esq,[23]	Lt Col'o Dupont,
Col'o Robt Wm Powell,	Col'o Gray,
John Gailliard Esq,[24]	Col Cassels,
John Rose	Col Pearson,
Maj Wm. Greenwood,[25]	Col Philips,
Maj Gabriel Capers,[26]	Col'o Hamilton,
Lt Col'o Thos Inglis,	Wm Carson,[29]
John Hopton Esq,[27]	Dr Wm Charles Wells,
Robt Johnston, Esq,	Col. Thomas Edgehill,
John Champniss,	
Andrew Millar Esq,[28]	Col Sam'l Bryan,
Col'o David Fanning,	Doct. Baron.

I continued in Charlestown until the 5th of Sept. and my horses having got recruited, and one of my negroes having made his way good through the country, came down to me ; I then set out for the country again, on account of my misfortune of losing my Mare, which was of great value to me. I went up to the settlement again, to the man I sent to Hunter before ; and, he informed me, that Hunter refused five negroes for the mare, and would not return her. He also, went to where, I left one of the negroes and took him and sent him over the mountains to keep him out of my way. I continued in the settlement until the 22d of the month, trying to get her but was disappointed in my hopes. Knowing that Charlestown was to be evacuated, I was obliged to return ; and as I was on my way, I understood my mare was at a certain place, about 125 miles from Charlestown ; being about half the distance from where, I then was, toward Charlestown. I instantly persued, on my journey to the place, I heard she was ; and my riding horse was so particularly known, I

sent a man up to the house and he was known ; they directed us, the wrong way, and immediately sent word to where my mare was : I found out, we was wrong ; and took through the woods, and to a house within a half a mile, where they had word of my coming and was making ready to go to their assistance. On seeing us come up, he immediately left his horse, and was running off through a field ; he turned round and presented his piece and snapped ; but she missed fire ; With this, I ordered one of my men, to fire at him, who shot him through the body, and dispatched his presence from this world. The other two men that was at the house, did not run ; and informed me that they had received word of my coming a half an hour before I arrived ; and also that there were men lying in ambush ready to attack me. With this, as the man who had my mare had gone off with her, and having only two men and my negro that set out with me from Charlestown, also two little negroes that I had for my mare, I thought it was my best way to proceed to Charlestown ; and on the 28th Sept. I arrived at Charlestown, where the shipping was ready for me to embark for St. Augustine.

East Florida

We whose names are hereunto subscribed do hereby certify, that Col'o David Fanning, late of the Province of No. Ca., acted in the station of Col'o of Militia of that Province, and was of the greatest service to his Majesty, in suppressing the rebels during the late rebellion in North America ; that he is worthy of every loyal subject ; both for his valour, and good conduct ;—that after he with his men took the town of Hillsborough, dispersed the rebel council, and took a great number of prisoners, was on that

day wounded in the left arm—that finding the town of Wilmington evacuated by the British troops, and his wound not yet well, he for the safety of his people divided them, into small parties, and continued a long time in the back woods—that after many skirmishes in No. Ca. in the month of June 1782 he with the utmost difficulty made his way through many interruptions of the enemy, to the province of South Carolina; where his Majesty's troops then lay; and that he was obliged to leave the province, where he lived and his property, which we are informed was considerable; and, that, he is now without the means of subsistence, having lost his all, for and on account of his services and attachment to his Majesty's person and government.

St Augustine
20th Sept 1783

JOHN HAMILTON,
Lt Col'o Comg R. N. C. Regt.
JOHN LEGETT, *Capt*
R. N. C. Regt
ALX. CAMPBELL, *Capt*
S. C. Regt.
GEO. DAWKINS *Capt. S. C. Regt.*
DANIEL MCNEIL *Capt R*
N. C Regt
MOSES WHITLEY *Lt. S. C Regt.*

Schedule of the property of Col'o David Fanning late resident of the province of No. Ca. but now of the province of East Florida, lost to him on account of his Zeal and Attachment to the British Government and never received any part or parcel thereof or any restoration of the same, viz;

550 acres of Land in Amelia County in the Province of Virginia with a dwelling House and

	£. S.
other necessary buildings, a large apple and Peach Orchard, and large enclosed improvements - - -	687.10
550 acres of land near said plantation heir to the estate of my father and some improvement with a dwelling House - -	412.00
3 Saddle Horses - - -	41.00
12 plantation Horses, three unbroke -	96.00
2 negro Slaves - - -	100.
Debts, notes, bonds &c - - -	289.
	£ 1625.10

Personally appeared before me, one of his Majesty's Justices of the Peace St Augustine Province of East Florida, Lieutenant Charles Roberson ; Niell McInnis ; and Philip Wisunpunt ; Refugees, of said East Florida ; who being called upon by the within mentioned Col'o David Fanning, to value the within mentioned property, who being duly sworne ; and maketh oath upon the Holy Evangelists of Almighty God ; that the within mentioned property, are well worth the sums affixed to each article, as near the value as possible, if the same was to be sold, to their own knowledge and the best information they could get.

Sworne at St. Augustine this 25 Nov. 1783 before me
John Mills. J. P.

Charles Roberson
Neil McInnis
Philip Whisunpunt

I took my passage and landed in New Brunswick on 23d Sept 1784, and went to Halifax to his Excellency, the Governor Carlton to know how I should get land, but he had not arrived, so returned on the 7th Nov'r and in August I received the following letter from Col'o John Hamilton in answer to mine in regard to my claim.

Dear Sir,

I received yours of the 9th Feb 1785 a few days ago and notice the contents. I am sorry to inform you that your claims are not yet given in, but I expect the office for receiving Claims will be opened again by act of Parliament this session; when you may depend proper care shall be taken of yours. I am sorry to hear of your losses. I hope you are now agreeably settled, and making something for your family. I think if you can leave your business in proper hands, a trip to this country would be of service to you; tho' I don't think you would get half pay. The Government would settle an annuity on you for life; which cannot be done without your coming here.

If you come you may depend on all my interest in your favour, and I cannot help thinking it worth your while to come home

I am dear Sir your
London humble servt
May 10th 1785 John Hamilton.

In a short time after I heard that there was another act of Parliament passed to receive Claims for losses and services, also that the Commissioners had arrived at Halifax. On the 20th March, I set out for Halifax, and presented a copy of my claim, as follows;

To the Honourable Commissioners appointed by act of Parliament, further to enquire into the losses and services of the American Loyalists.

The Memorial of David Fanning, late Col'o of the North Carolina Militia, humbly sheweth; That your Memorialist is a Loyalist from North Carolina; who uniformly and religiously adhered to his duty and loyalty to the best of Sovereigns; for which he suffered persecution, and many other inconveniences—that your Memorialist, by a warrant from

Major Craigg of the 82d Reg't then commanding at Wilmington was placed at the head of the Militia of that province—that, your memorialist during the late war, did command from one to nine hundred and fifty men; with whom he was engaged in six and thirty skirmishes in North Carolina, and four in South Carolina: all of which were of his own planning and in which he had the honour to command —that your Memorialist killed many of the Rebels—and took many of them prisoners. Among the latter, were, Governor Burke, his council, and many Officers of distinction in the Rebel army—that your Memorialist was during that time, twice wounded, and fourteen times taken prisoner: That, on the conclusion of peace, your Memorialist settled two hundred and fifty souls in East Florida; and having took refuge in several parts of his Majesty's remaining possessions in America, finally settled in the province of New Brunswick where he now is, in great distress, with his family. That your Memorialist, in consequence of his said loyalty, to his Sovereign; the many services rendered him; and attachment to the British Government, had his property, real and personal, seized, confiscated, and sold by rebel authority—Your Memorialist therefore prays that his case may be taken into consideration; in order that he may be enabled under your report to receive such aid or relief, as his case may be found to deserve.

St John March 1st 1786 DAVID FANNING

When I presented my claim to Peter Hunter Secretary to the Commissioners; he gave me no kind of satisfaction, and on my asking him if I could come under an examination, he told me to be gone, he did not think the Commissioners would receive my claim. When I found, I could get no hearing at Halifax, at that time, I returned home with a full resolution never to trouble myself any more. At the time of

being in Halifax I met my old friend, Cap't John Leggett, of the Royal North Carolina Regiment, who said he would speak to the Commissioners in my favour. He also gave me a copy of the following letter from Lieut Col'o Arch McKay.—

London *Nov* 15*th* 1785.

Dear Captain

Ever mindful of your good will and the kindness you showed unto me since I had the pleasure of being acquainted, with you induces me to write you a few lines at present informing you of my success since I came to England, knowing you would be glad to hear of the provision made for me. When I came to England, I got a hearing by the Commissioners of American claims, and they granted me Thirty pounds, yearly for temporary subsistence. I, then, laid a memorial to Sir George Young, for Captains half pay; but I must confess I thought my chances for that bad enough, as I was not acquainted with any of the Generals who commanded in America; but since it was only amusement to try, I got a certificate from Col'o Craigg, and another from Col'o Hamilton; and laid them in with the memorial, it was with a good many others, a long time from Office to Office; at length they allowed me Seventy pounds sterling, yearly, for life for my services in America, exclusive of the Thirty pounds. Upon the whole I do not repent coming to London, as things have turned out.

I wrote to Cap't McNeil this morning, not thinking I should have time to write to you, before the Ship sailed; and I had not time to write to him so fully, as I could wish; but I will mind better next time.

I intend to spend next summer in Scotland, if every thing turns out here to my expectation. I would be glad to get a long letter from you concerning your new settlements. You will please to write to me, under cover

to Messrs. John and Hector McKay, No. 5. Crown Court, Westminster; and if I am in Britain I shall be sure to get any letter that may come for me. After my jaunt to Scotland I hope to do myself the honour to call and see you on my way to New Providence, where Alex'r and Malcom McKays are gone. I am Sir, with due respect

To Your sincere friend & humble serv't

Capt John Legett. ARCHIBALD McKAY"

I returned home and continued until the 27th June 1787, when I was entering the suburbs of the city of St John, I accidently met Ensign Henry Niss, with a letter, from the commissioners, desiring me to attend immediately for an examination. I still retained my opinion; but on informing Col'o Joseph Robinson he prevailed with me, after a long persuasion, to call and see the Commissioners; which I did; in company with Col'o Robinson: I was treated with every civility and all attention paid to me. After my examination they gave me the following certificate.

" OFFICE OF AMERICAN CLAIMS

St John 2d Feby 1787.

We do hereby certify that, David Fanning has undergone an examination on oath before us, as an American sufferer from No. Ca. We are satisfied by his own account, and by the evidence he has produced, that his exertions in support of the British Government, as Col'o of the Chatham, and Randolph County Militia, during the late troubles, in America, have been very great and exemplary;— that he has been severely wounded in several engagements and has in other respects been a great sufferer; though from particular reasons, it will not be in our power to make him any considerable allowance in our report. We therefore recommend him as a proper person to be put on the

half-pay list as Captain, and to have an annual allowance from Government equal to that half pay.

THOMAS DUNDASS
J. PEMBERTON

After this I received a letter from my Agent and found I had lost property to the amount of £1625. S10. according to an appraisment of three men acquainted with the property. But, as it was not like a coat taken out of my hand, or gold taken out of my pocket, I could not get any thing for my losses, although I did not give in nothing like the amount of my losses. I lost 24 horses; and only reported 15; one of which cost more than all I ever got from the Government; and six head of cattle, £289 for property sold at the commencement of the war, and the Land which I was heir to and for which I refused many times £3000 Virginia currency. But because I turned out in the service of my King and country in the 20th year of my age, and my exertions were very exemplary, I have lost my all, for and account of my attachment to the British Crown—only Sixty pounds received which would not pay the expenses I have been at to obtain it.

I can prove what I have here wrote to be facts, and the world will be able to judge after reading this narrative; and observe this Act of oblivion passed in N. Carolina in the year 1783 which is hereunto annexed—which is enlarged and improved in the London Magazine which will be found on page 607. vol. 1. from July 1. to Dec 1. 1783.

The act of Pardon and Oblivion is there quoted, passed 17th May 1783 signed by RICH'D CASWELL
Speaker of Senate

E STARKE
Speaker of Commons

the proviso to the first section declares that "Nothing

therein contained shall extend pardon to Peter Mallett, David Fanning and Samuel Andrews—or any person guilty of deliberate and willful murder; robbery; rape; house breaking or any of them."

This narrative concludes—"Many people is fools enough to think, because our three names is particular put in this Act, that we are all guilty of the crimes set forth.—But I defy the world to charge me with, rape, or anything more, than I have set forth in this Journal.

All his Majesty's subjects or others that wishes to know the truth of any thing further than I have set forth, let them make enquiry of those gentlemen whose names I have struck in; examine the letters of the Rebels, and the recommendations of the Officers who have been acquainted with me in person and with my services in the time of the late war.

Although I have been exhibited from receiving any benefits from the laws of the State, all that I desire is to have the liberty of commanding 30000 men in favour of the British government. I flatter myself that there would be no doubt of my putting many of them to swing by the neck, for their honesty, as John White did, after stealing 150 horses in North Carolina.

NOTES.

NOTE 1. PAGE 1.

FLEACHALL THOMAS, should be Fletchall as it is on page 2. He was a Colonel, and at the head of a considerable force of Loyalists in South Carolina during the difficulties with the Cunninghams, in 1775; and signed the truce or treaty which was agreed upon between the Whigs and their opponents. After the surrender of Charleston, he was in commission under the crown. In 1782 his estate was confiscated. He appears to have been a person of much consideration in South Carolina, previous to the Revolution; and to have been regarded as of rather doubtful or undecided politics, though the Whigs made him a member of an important standing committee, raised with the design of carrying out the views of the Continental Congress.

The following letter written to define his position is published by Gibbes:

FAIR FOREST, *Monday, July* 24, 1775.

HONORED SIR:

I received yours dated the 14th ult., wherein I am informed, that many reports have been maliciously asserted against me to the Committee of this Province, which I can make appear to be false. I received a letter from Messrs. John Caldwell, John and James Williams, who is said to be committee men, dated the 4th of this instant, requesting me to call my regiment together in order to sign the Association paper. Accordingly on the 13th of this instant, I did, in obedience to those gentlemen, and went to every Captains Company that was in the regiment, when drawn up, and requested Major Farry to read the paper to every company, which accordingly was done. I don't remember that one man offered to sign it, which was out of my power to compel them too; but that it was agreed amongst the people in general to sign a paper of their own resolutions, and that application was made to Major Joseph Robinson, who was then present to draw a paper of some resolves, which the people in general did sign unto, from Savannah river to Broad river, which consisted of my regiment, Colonel Starke's regiment, and a part of Colonel Savage's regiment. I must inform you, sir, there is some of our highland gentlemen who are very aspiring and fond of commission, thinking to get in favor with the gentlemen in town, will say anything but the truth, and when they are as well known in town as they are in the country, I believe they will be of my opinion. In

fact we never had any representatives, not one man in fifty ever gave any vote for any such thing. You seem, sir, to intimate to me that I should have joined, but the thought of losing my commission seem to deter me. As for my commissions, I care not who has them; a man that is to be bought by a commission, is not worthy of one, although that is the price of many. I must say this in favor of myself, I never have concurred in those matters now in hand, knowing I was not calculated for such an enterprise: but must inform you, sir, I am heartily sorry that I am looked on as an enemy to my country. I wish you may have no greater reason to complain against some, that you little suspect, than you have against me. But, in the meantime, I must inform you, sir, I am resolved, and do utterly refuse to take up arms against my king, until I find it my duty to do otherwise and am fully convinced thereof.

I am sir your honor's most obedient and humble servant,

THO. FLETCHALL.

HON. H. LAURENS.

President Council of Safety.

FAIR FOREST, the residence of Colonel Fletchall, was in Union district South Carolina.

RABURN'S CREEK is a branch of Reedy River: and is in Laurens district South Carolina.

"There was a very good *prespetcaring* Minister to call at the different places to preach and baptize children."

From Gibbes Doc. History of South Carolina, we learn that the Rev. William Tennent travelled through this region in company with Hon. W. H. Drayton at the request of the Committee of Safety of South Carolina. The one for the purposes stated by Fanning, the other to rouse the people to the cause of the colony. On the 21st Aug., 1775, Mr. Tennent preached on Long Cane Creek "at one of Mr. Harris' preaching stands." This Journal says: "After the sermon, spoke as usual on the subject of my mission, was seconded by Mr. Harris and Mr. Salvador to good effect, returned to Mr. Reed's. The congregation was solemn and affected. Mr. Calhoun and other gentlemen returned with me, and spent the evening on subjects fit for the times."

Tennent's Journal in Gibbes Doc. His. 1764–'76, *page* 232.

Mr. Teonent was doubtless the very good *prespetcaring* minister alluded to by Fanning.

Mr Salvador, called in Fanning's illiterate way Silvedoor.

NOTE 2. PAGE. 2

O'NEAL HENRY, of South Carolina. Was in commission under the crown after the surrender of Charleston. His estate was confiscated.

NOTE 3. PAGE 2.

BROWN THOMAS, of Augusta Geogia. Having openly reviled the Whigs at a dinner party in 1775, he was arrested, tried and condemned to be tarred and

feathered, and publicly exposed in a cart, to be drawn three miles, or until he was willing to take an oath to espouse the cause of the republicans. He chose the latter only to get off from a part of the punishment, for he soon joined the British army and was made Lieutenant Colonel. After the fall of Charleston Brown was stationed at Augusta, and while commandant at that place retaliated upon the Whigs, with a fierceness commensurate with his wrath. He sent out detachments to burn the dwellings of the patriots in his vicinity and dispatched emissaries among the Indians to incite them to murder the inhabitants on the frontier. His authority for these atrocities was a letter which Cornwallis had sent to the commanders of all the British outposts, ordering that all those who had "taken part in the revolt should be punished with the utmost rigor and also that those who would not turn out should be imprisoned, and their whole property taken from them or destroyed." Every militiaman who had borne arms in the King's service, and afterwards joined the Whigs, was to be "immediately hanged." Brown fulfilled his order to the letter. Officers, soldiers and citizens were brought to the place of execution without being informed why they were taken out of prison. The morning after the receipt of this letter, five victims were taken from the jail by order of Col. Brown, all of whom expired on the gibbet.

NOTE 4. PAGE 2.

CUNNINGHAM ROBERT, was an Irish settler in the district of Ninety-six, now Abbeville where he was commissioned a judge in 1770. He incurred the displeasure of the Whigs in 1775, when he disapproved of their proceedings in sustaining the cause of Massachusetts, and in the adoption of the non-importation act. In the course of that year he was seized and imprisoned in Charleston. His brother, Patrick, assembled a body of friends in order to effect his release. The Whigs dispatched Major Williamson with a force to prevent the accomplishment of their object; but Cunningham's party being superior he was compelled to retreat. A truce or treaty was finally arranged, and both Whigs and Tories dispersed. In July of 1776, Robert Cunningham was allowed his freedom without condition, and removed to Charleston. In 1780 he was created a Brigadier General, and placed in command of a garrison in South Carolina; but in 1781 was at the head of a force in the field, and encountered Sumter. His estate was confiscated in 1782. After the peace he petitioned to be allowed to continue in South Carolina. His request was refused, and he removed to Nassau, New Providence. The British Government made him a liberal allowance for his losses, and give him an annuity. He died in 1813, aged sixty-four years.

NOTE 5. PAGE 3.

ROBINSON JOSEPH. A native of South Carolina who held a royal commission after the capitulation of Charleston. His estate was confiscated.

NOTE 6. PAGE 12.

CUNNINGHAM WILLIAM, of South Carolina, was known as "Bloody Bill," and there seems no little evidence to show that he deserved the appellation. He commanded a band of Tory marauders known as the "Bloody Scout" and for awhile they spread terror throughout the region which they infested, embracing the Union and Spartanburg districts and also south of the Ennoree. At the commencement of the war he was inclined to be a Whig, accepted a military commission and served in the campaign of 1776. Changing sides, he became an officer and a Major in the service of the Crown, and was engaged in many desperate exploits and hand to hand fights. The most active opponent of this scoundrel was William Beale of Ninety-Six. He formed a scouting party of Whigs and they soon became a terror to the Tories. On one occasion Cunningham and his party plundered the house of Beale's mother during his absence. On his return, Beale went in pursuit, and approaching Cunningham, the latter wheeled, and with a pistol shot Beale's horse dead. On another occasion Cunningham and his party surrounded a house where Beale and a Whig were staying. They heard the approach of the Tories, when rushing to their horses and rattling their swords, Beale gave command as if to a troop. It was dark, and Cunningham who had thirteen men with him fled in great haste.

Cunningham's property was confiscated in 1782, and at the close of the war he retreated to Florida.

COLONEL MILLS, whose name appears in this connection was taken prisoner at King's Mountain and was one of the twelve Tories executed after the battle.

COLONEL PICKENS, was the father of the late Governor Andrew Pickens and grandfather of the present Governor Francis Pickens of South Carolina.

NOTE 7. PAGE 13.

DE PEYSTER ABRAHAM, of New York. He was Captain in the New York volunteers. At the battle of King's Mountain he was second in command, and immediately after the fall of Major Ferguson hoisted a flag as a signal of surrender. He was paid off on the morning of this battle, and his life was saved by a bullet striking a doubloon in the pocket of his vest. He went to St. John, N. B., at the peace, and received half pay. He was treasurer of the colony and a Colonel in the militia. He died about 1798.

The action at Musgrove's Mill, on the Ennoree river, is thus mentioned by Lossing: "On the 18th of August, 1780, Col. Williams, (who fell at King's Mountain a few weeks after,) with Colonels Shelby and Clark, attacked quite a large body of British, under Colonel Innis and Major Fraser, near Musgrove's Mill, upon the Ennoree, in the northeastern corner of Laurens district. Many Tories were collected there, and were joined on the seventeenth by Innis and Fraser. The whole force was about three hundred strong, and were encamped upon the south side of the river, where they commanded a bad rocky ford. The Americans, whose force was much less, took post on the north side upon a small

creek which empties into the Ennoree just below the Spartanburg line, about two miles above Musgrove's Mill. It was agreed that Williams should have the chief command. He drew up his little army in ambush, in a semicircle within a wood, and then proceeded to entice the enemy across the river. For this purpose he took a few picked men, appeared at the ford, and fired upon the enemy. The stratagem was successful. Innis immediately crossed the ford to dislodge the "rebels." Williams and his party retreated hotly pursued by Innis until within the area of the patriot ambuscade, when a single shot by Colonel Shelby gave the signal for attack. With a loud shout the concealed Americans arose, and in two minutes the Tories were completely surrounded. Colonel Innis was slightly wounded, but, with the larger part of his regulars, he escaped. Major Fraser was killed with eighty-five others. Colonel Clary, the commander of the militia, escaped, but most of his men were made prisoners. The Americans lost four killed and eleven wounded.

NOTE 8. PAGE 13.

FERGUSON MAJOR PATRICK, was a Scotchman, a son of the eminent jurist, James Ferguson, and nephew of Patrick Murray, (Lord Elibank.) He entered the army in Flanders at the age of eighteen years. He came to America in the spring of 1777, and was active in the battle on the Brandywine, in September of that year. He was active on the Hudson in 1779, and accompanied Sir Henry Clinton to South Carolina. He invented an improvement in rifles, which was used with much effect. He so distinguished himself at the siege of Charleston in 1780, that he was particularly mentioned by the commander in chief. He was on the high road to military fame when he was slain at King's Mountain 7th Oct., 1780.

This defeat over the Royal arms was fatal to Lord Cornwallis' first invasion of North Carolina. Fanning, it appears, was with Maj. Ferguson on the 2d Oct. on Ferguson's retreat from Gilberttown to King's Mountain.

COL. WILLIAMS, whose name is mentioned in Note 7, fell in this battle. He was a native of Granville county, N. Carolina. He moved to S. Carolina in 1773. He early espoused the patriot cause. After the battle at Musgrove's Mill he raised a corps of cavalry in N. Carolina, and returning to S. Carolina, continually hovered around Ferguson's camp and watching his movements. He was near Major Ferguson, and both officers received their death wounds at the same moment. He died on the morning after the battle, and was buried within two miles of the place where he fell. Tradition says his first words after reviving a little, soon after he was shot, were "For God's sake, boys, don't give up the hill!" He had two sons, Daniel and Joseph, of the ages of fourteen and sixteen, in this battle, and both of them escaped unhurt, but were afterwards murdered in cold blood by a band of Tories under Robert Cuningham, who had a personal conflict with their father and mother at the beginning of the revolution.

NOTE 9. PAGE 14.

Hls (Cornwallis) pursuing Gen'l Greene. For an interesting account of this pursuit see the account in "Lossing's Field Book of the Revolution." 2nd volume, page 600 to 604.

CHARLES, EARL of CORNWALLIS was born in 1738. In his early career friendly to the cause of the colonists; sent to America, and was in the battle of Brandywine 1777; commanded at Camden, S. C., and defeated Gen'l Gates in 1780; also at Guilford, N. C., and defeated Gen'l Greene on 15th March, 1781. Surrendered at Yorktown with all his army to Washington 19 Oct., 1781. Governor of East Indies in 1786. Lord Lieutenant of Ireland in 1798. Governor-General of India in 1804, and died at Ghazepoore 1805, leaving issue.

The destruction of the Tories under Col'o Pyles by Col. Lee was complete. Caruthers, in his Revolutionary Incidents, or Old North State in 1776, (page 151,) states that Fanning was with Piles on this occasion This is an error. Fanning says himself that "at this time he was at Deep River."

NOTE 10. PAGE 14.

GUILFORD. The battle of Guilford Court-House resulted in the defeat of the Americans. Although they had double the number of men commanded by Cornwallis, yet they were completely routed; but the British did not triumph greatly over it, for, when the news reached England, Fox moved in committee "That his Majesty's Ministers ought immediately to take every possible measure for concluding peace with our American Colonies:" and in debate he declared, "Another such victory will ruin the British army." The loss of the British was, in killed and wounded, over six hundred men, besides officers. That of the Americans about four hundred, and eight hundred and fifty of the Va. and N. C. Militia deserted.

NOTE 11. PAGE 18

HAMILTON, JOHN. A native of Scotland. Previous to the Revolution he was, for some years, a merchant in the town of Halifax, of much wealth, influence and sagacity. His Regiment was an important portion of Cornwallis' forces in the campaigns of 1780 and 1781; and it may be well doubted whether any loyalist in any one of the Provinces served the crown throughout the entire period of the contest with equal ability, fidelity and effect. In 1779 his property was confiscated. He was for many years after the Revolution the British Consul at Norfolk, Va.—*See Lectures on Rev. Hist. of N. C., by Hawks, Swain and Graham, pages* 131, 132.

DUDLEY, GUILFORD, mentioned by Fanning on page 17, was born in 1756, and resided at Halifax, where he claims to have assisted in raising in 1774 the first volunteer company organized in America for the conflict. In 1776 he served in the campaign which terminated in the battle of Moore's Creek. He was in the battle of Camden, and bore from the field the gallant Col. Porterfield

mortally wounded. He fought at Hobkirk's Hill, and continued in the service till the autumn of 1781. He married a niece of John Randolph, of Roanoke, and his son, Dr. J. B. Dudley, published a volume of the letters of the great parliamentarian. For interesting autobiographical notices see papers published in the *Southern Literary Messenger*, vol. 2, 144, 251, 281-370, by Charles Campbell.

NOTE 12. PAGE 21.

TURNER ROBERT. Sabine only says of him, that he was of Guilford county, N. C., and his property was confiscated in 1779

It is no less true than curious of the list of names presented by Fanning as his coadjutors in his dark and bloody acts, how few died natural deaths. The antiquarian researches of Gov. Swain, furnish the following particulars of their history. Fanning himself narrowly escaped the gibbet in 1800 for rape committed in St. John, N. B.

JOHN RAINS, (Major,) was alive in 1819 in Tennessee, a miller and very poor.

RICHARD EDWARDS was killed at Kirk's farm a week before the battle of Cane Creek.

EDWARD EDWARDS, his brother, who succeeded to the command, was killed the next week at Lindley's Mills.

MERDETH EDWARDS, THOMAS DARK, THOMAS EASTRIDGE and THOMAS RICKETTS were convicted of treason at Hillsboro in January, 1782, and executed.

JOHN RAINS, Sr., was killed at Lindley's Mill.

JOHN CAGLE, or Eagle, hanged at Pee Dee.

JAMES RICE hanged at same place.

DAVID JACKSON hanged in the lower end of Randolph.

STEPHEN WALKER was shot in April, 1782, by Col. Gholson on Deep River.

JAMES LINDLEY, SIMON LINDLEY, were shot in the mountains.

THOMAS BLAIR settled on New River, built iron works, and became rich

JOHN MCLEAN, (sober John,) who had charge of Gov'r Burke when a prisoner, settled on the lower Cape Fear, near the Bluff Church, under the protection of his whig friend John Smith.

ALEXANDER MCKAY died a rich man in the West Indies.

CAPT. DANIEL MCNEILL went to Nova Scotia.

COL. DUNCAN RAY went to Nova Scotia.

PETER MALLETT. In regard to this gentleman, (who is specially excepted with Fanning and Samuel Andrews in the act of 1783 of pardon and oblivion,) his autobiography still extant, and other evidence will show that he was the victim of prejudice, arising from abuses in the commissary department to which he belonged. He was a man of intelligence and integrity.

MCDUGALD ARCH. COL. He is probably the Colonel McDougal who desired Fanning "not to insert in his narrative anything of his servessas, as he intended going back to North Carolina to live." It being well known that he went to Nova Scotia, where he remained five or six years, then to London, obtained

a pension, and afterwards returned to North Carolina, where he lived to a good old age, raised a respectable family, and enjoyed the reputation of a generous, warm-hearted man.

NOTE 13. PAGE 24.

Caruthers gives a graphic account of the attack by Fanning on Col. Alston, mentioned by him on page 28, in his interesting Revolutionary Incidents; and the heroic conduct of Alston's wife, by whose solicitations Col. Alston's life and that of his men was spared. "The house," says Dr. Caruthers, "stands now just as it did then, with the exception of some additions, and bears all the marks of war that it had when left by Fanning." "D. Chalmers now lives in the house which was then occupied by Col. Alston. Col. Alston lived only a short time after the war, having been killed by a negro whom he had treated with severity or provoked in some way." "Dr. Chalmers, two or three summers ago, travelled through the State of Tennessee, and became acquainted with the sons of Col. Alston."

NOTE 14. PAGE 32.

LEGGETT JOHN. Was Captain in Col. Hamilton's Royal North Carolina Regiment. His property was confiscated in 1779, and purchased by General Harrington, who though he had been greatly injured by him, generously conveyed the land to Leggett's wife and daughters. Leggett was with Fanning and others at St. Augustine in 1783, but subsequently returned to North Carolina.

NOTE 15. PAGE 34.

MCNEIL HECTOR. In the first military elections after the Royal Government was at an end, he received a commission from the Whigs. But in 1776 he appeared in arms against them, and was taken prisoner and confined in jail; subsequently he held the rank of Colonel on the side of the crown, and commanded the Scotch forces under Fanning, when Gen. Burke was captured on the 12th (or according to contemporaneous *records*, the 13th) of September, 1781. He is represented to have been a man of good moral character, and as brave as a lion. He fell at the head of his command a day or two after the capture of Hillsborough, at the battle of Cane Creek, pierced by five or six balls.

MEBANE. This family is still numerous in Orange, Caswell, Guilford, and other counties in North Carolina; and branches of it have prevaded and populated the States of Tennessee, Kentucky, Indiana, Arkansas, Louisiana and Texas. It is distinguished for patriotism, integrity and strong common sense. The common ancestor was ALEXANDER, who was a native of Ireland, and who emigrated to Pennsylvania long before our revolution, where he remained several years. He moved to North Carolina, and settled in the Haw fields, in Orange county. He was skillful and persevering in his business, and acquired considerable wealth.

When the Revolution broke out, he, with his sons, took a decided stand for liberty, for which the British and tories committed great depredations upon

his property. He was too old himself for service, but his sons, six, were all in the service of the country.

I. William was a Captain of Militia, member of the Senate in 1782, twice married, 1st to Miss Abercrombie, and 2nd to a daughter of Rev'd Benjamin Rainy; no issue by either.

II. Robert, the person alluded to by Fanning, a Colonel in the Continental Army, was with Gen'l Rutherford in 1776, in "snowy campaign" against "the Overhill Cherokees," remarkable for his athletic and large person, in many battles and skirmishes with the British and tories, and distinguished for valour at the battle of Cane Creek, where he attacked and defeated Fanning. On his way from the Cape Fear country he was killed by Henry Hightower, a noted tory and horse thief. Dr. John A. Mebane, of Greensboro, has his sword, taken from a British officer.

III. Alexander, born in Pennsylvania, 26th Nov. 1744, active in the cause of liberty, Commissary at Hillsboro, when Cornwallis took the town, and narrowly escaped on foot, losing a valuable mare, saddle, bridle holsters and pistols; member of the Conventioo or Congress that met at Halifax, Dec. 1776, to form the Constitution of N. C. and of the Convention at Hillsboro, that rejected the Federal Constitution. Member of House of Commons, in 1783, with some intermissions, till 1791. Elected by the Legislature Brigadier-General. In 1793, elected a member of Congress, and served in Philadelphia. Re-elected to Congress, but died before the session, 5th July, 1795. Twice married, 1st Mary Armstrong, by whom he had twelve children, (four sons and eight daughters,) and 2nd Elizabeth Kinchen, by whom he had six children, (five sons and one daughter.) Of these James Mebane late of Yanceyville, (father of Giles Mebane, Esq., now of Alamance,) the first President of the Dialectic Society, who have his portrait in their hall at Chapel Hill, is one. William Mebane, late of Mason Hall, (father of Dr. Alexander W. Mebane, late of Bertie county,) was another, and Dr. John A. Mebane, now of Greensboro, is another.

IV. John, late of Chatham, was a Captain in the Revolutionary war, in the cause of his country. When Fanning took Hillsboro, he was taken with the Governor, Thomas Burke, William Kinchen and others, by Fanning, and carried to Wilmington, thence he was taken to Charleston, long confined there as prisoner, and suffered extremely from the heat, filth and privation.

Member of Legislature with intervals from 1790 to 1811. Married Elizabeth, widow of William Kinchen, his fellow-prisoner. A son, John Briggs Mebane was in the Legislature in 1813, and a daughter married Thomas Hill, of Rockingham county.

V. James was an active officer of the Revolution, married Margaret Allen, by whom he left a large family.

VI. David, the youngest, was not old enough to do much service in the war until near the close. He served two tours in the militia. He re-

presented Orange county in the House of Commons in 1808, 9 and 10; twice married; 1st Miss Allen, and 2nd Mrs. Young, of Caswell. Geo. A. Mebane, postmaster and merchant of Mason Hall, and a large family of children still bear his name.

NOTE 16. PAGE 39.

FANNING EDWARD, Honorable, of North Carolina. Was a native of Long Island, New York, son of Col. Phineas Fanning. He was educated at Yale College, and graduated with honor in 1757. He soon afterwards went to North Carolina and began the profession of a lawyer at Hillsborough, then called Childsborough. In 1760 the degree of L. L. D. was conferred upon him by his *alma mater*. In 1763 he was appointed Colonel of Orange county, and in 1765 was made clerk of the Superior Court at Hillsborough. He also represented Orange county in the Colonial Legislature. In common with other crown officers, he appears to have exacted exorbitant fees for legal services, and consequently incurred the dislike of the people, which was finally manifested by acts of violence. He accompanied Governor Tryon to New York in 1771 as his secretary. Governor Martin asked the Legislature to indemnify Colonel Fanning for his losses; the representatives of the people rebuked the Governor for presenting such a petition. In 1776 General Howe gave Fanning the commission of Colonel, and he raised and commanded a corps called the *King's American Regiment of Foot*. He was afterwards appointed to the lucrative office of Surveyor-General, which he retained until his flight, with other Loyalists, to Nova Scotia in 1783. In 1786 he was made Lieutenant-Governor of Nova Scotia, and in 1794 he was appointed Governor of Prince Edward's Island. He held the latter office about nineteen years, a part of which time he was also a Brigadier in the British army, having received his commission in 1808. He died in London in 1818. He was in no way related to Daniel Fanning, and though a man of more extensive attainments and imposing address, had less ability than his bold bad namesake.

NOTE 17. PAGE 39.

KING'S AMERICANS. This is the body of soldiers alluded to in the preceding note as the "King's American Regiment of Foot," of Lossing's field book, and as the "Associated Refugees, or King's American Regiment," of Sabine's Loyalists. The "letter" mentioned in the text is one of the omissions mentioned in the preface.

NOTE 18. PAGE 42.

JACKSON DAVID. Captain of a corps of Loyalists; was taken prisoner by Colonel Caswell at Moore's Creek in 1776.

NOTE 19. PAGE 51.

"HAND AND ARM." Governor Martin's proclamation of the 25th of December preceding, (page 42,) concludes, "Given under *my hand and seal of arms* at

Halifax." Fanning, in imitation of the Governor, either through ignorance or intention, says, "given under my *hand and arm* as aforesaid."

NOTE 20. PAGE 53.

"There was." The word "no" is evidently omitted here, as Col. Balfour certainly meant to say "There was *no* resting place for a Tory's foot upon the earth."

BALFOUR ANDREW, was born in Edinburgh, Scotland, of respectable parentage. He arrived in America in 1772, and settled at Newport, Rhode Island. In 1777 he went to Charleston, South Carolina, and engaged in making salt. He removed to Salisbury, North Carolina, in 1778, and purchased or obtained lands in Randolph county. He was a member of the Legislature from this county in 1780. Such was his activity in the cause of his adopted country, that he was taken prisoner in the fall of this year, (1780,) with Jacob Shepard, father of the Hon. Augustine H. Shepard, by a party of Tories under the command of Col. Coulson. When carrying them as prisoners to Cheraw they were released by Captain Childs, from Montgomery county. He returned to his home, when his house was attacked by Fanning, and he was cruelly murdered by Fanning, his daughter and sister clinging to him in despair, on Sunday, 10th March, 1782. His widow, who came to North Carolina after his death, Dec., 1784, was much respected, and held the office of Post Master at Salisbury until 1825, discharging its duties with great fidelity and acceptability. Her son Andrew married Mary Henly, and had nine children, (five sons and four daughters,) all of whom removed to the west except Mrs. Eliza Drake, wife of Col. Drake, of Ashboro. His daughter Tibby married John Troy, who had three children John Balfour Troy, now of Randolph co., Margaret, who died in Davidson county in 1813, and Rachel, who married Lewis Beard, now in the west. His third and remaining child, Margaret, married Hudson Hughes, of Salisbury, who had two daughters, one of whom married Samuel Reeves, of Salisbury.

NOTE 21. PAGE 64.

SIR GUY CARLETON Commander-in-Chief. Guy Carleton, afterwards Lord Dorchester, was Wolf's quartermaster at the storming of Quebec, and was appointed a Major in the British army in 1772. In 1774 he was constituted Captain General and Governor of Quebec or Canada. He successfully commanded the British at Quebec when attacked by Montgomery in 1775, compelled the Americans to raise the seige in 1776, and drove them out of the province. In October he recaptured Crown Point. He was unjustly superseded in military command by Burgoyne in 1777. He was appointed to succeed Sir Henry Clinton in 1782, and was in command of the British troops when they evacuated New York on the 25th of November, 1783. He died in England at the close of 1808, aged 83 years.

Note 22. Page 65.

Colonel Ballinoall, was in commission under the crown in South Carolina after the surrender of Charleston, in 1780. He was an addresser of Sir Henry Clinton in 1780, and willing to take up arms in behalf of the Crown.

Note 23. Page 65.

Williams Robert, was banished and attainted and his estate confiscated, in 1785.

Note 24. Page 65

Gailliard John. John and Theodore Gailliard were both members of the Provincial Congress of North Carolina in 1775, when they were probably Whigs. In 1780, they held commission under the crown.

Note 25. Page 65.

Greenwood, Major Wm., of Charleston South Carolina, was an addresser of Sir Henry Clinton, in 1780. and a petitioner to be armed on the side of the crown. He was banished and his property confiscated in 1782.

Note 26. Page 65.

Caper Major Gabriel, was a conspicious member of the Provincial Congress of South Carolina, in 1775.

Note 27. Page 65.

Hopton John, a merchant of Charleston. His property was confiscated for, which he was partially remunerated. He died in 1831

Note 28. Page 65.

Millar Andrew, a respectable Scotch merchant in Halifax. He was a friend and correspondent of Governor Burke before the revolution. Several letters of his are in the archives of the Historical Society of the University of North Carolina. His property was confiscated in 1779.

Note 29.

Carson Wm. of South Carolina, went to London during the war and signed an address to the King in 1779.

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ERRATA.

To present a truthful portraiture of the man and the times, it was proper to print his Journal precisely as he wrote it himself. The orthography is not less faulty in the use of proper names than in general words. A few corrections may be proper to identify the persons to whom he refers.

On page 13, 5th line, Musgrovi Mills should be Musgrove.

On page 26 Forgesson should be Ferguson.

On page 18, 16th line, Elwood should be Elrod. Col. Elrod's humanity rendered him obnoxious to Fanning.—*See Caruthers Old North State, vol.* 1, 175.

On page 37, 3d line, Col. Gutterell should be Luttrell.

On page 63, 25th line, Garner should be Gainey, a famous tory leader in S. C.

On page 73, 32d line, Starke should be Starkey.

The reader will readily correct the following :

On page xi L. D. Swain should be printed D. L.

On page xiv, for provinces read province.

On page 22 Maunep should be Mauney.

On pages 5 and 6 Tork should be York.

On page 63 Whisunpunt should be Whisenhunt.